

**SAN DIEGO REGIONAL
CRIME / INCIDENT REPORT**

CRIME / INCIDENT REPORT

981000 22 Special/W- O.I.S.

5644 MISSION CENTER ROAD SAN DIEGO

W-TYPE: 06 VICTIM'S NAME: OBERNDORFER, ERIC

RESIDENCE ADDRESS: [REDACTED] SDPA #5672

STATUS: E SAN DIEGO POLICE DEPT. EASTERN DIVISION

RELATION TO VICTIM / SUSPECT: VACATION

FORCE TOOL WEAPON: BOX CUTTER HOW USED: THREATEN VICTIM

TYPE OF STRUCTURE: N/A POINT OF ENTRY: N/A SECURITY USED: N/A SUSPECT ACTIONS: THREATEN VICTIM

PROPERTY

ADMIT

INC #15-080049430

		SAN DIEGO REGIONAL CRIME / INCIDENT REPORT				PAGE 1 OF 2		CASE NUMBER 15037227				
CRIMINAL	CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) 245(C) PC - ASSAULT Peace Off.					HC	DV	OAK	MONTH 08 DAY 28 YEAR 2015	DAY OF WEEK FRIDAY	TIME 0010	
	LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CENTER ROAD, SAN DIEGO					CITY		BEAT 315		DISTRICT		
	VICTIM NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) [REDACTED]					RESIDENCE ADDRESS [REDACTED]		DATE OF BIRTH (MM/YY) TYPE (I) ID NUMBER		INTERPRETER REQUIRED (Y) N (N) R A S R A S		
VICTIM	RESIDENCE PHONE [REDACTED]					SEE RACE CODE LEGEND ON TOP OF BACK PAGE					RELATION TO VICTIM / SUSPECT	
	EMPLOYER (RANK IF MILITARY)					BUSINESS PHONE					ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)	
	WITNESS NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) OFFICER E. OBERNDORFER					RESIDENCE ADDRESS					CITY STATE ZIP	
WITNESS	RESIDENCE PHONE					RACE SEX DATE OF BIRTH					ID TYPE ID NUMBER S.D.P.D # 5672	
	STATUS EMPLOYER (RANK IF MILITARY) E SAN DIEGO POLICE DEPT.					BUSINESS OR MILITARY ADDRESS					CITY STATE ZIP	
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)					DAYS OFF WORK HRS. - VALUES						
TOTAL # OF WITNESSES AT CRIME:		WITNESS TYPE:		01 ARRESTING OFFICER 08 OTHER LAY WITNESS 07 NARC CHEMIST 12 OTHER EXPERT 13 INVESTIGATOR 16 OTHER POLICE		STATUS E EMPLOYED S STUDENT U UNEMPLOYED N NON-SALARIED WORKER						
PLACE OF ATTACK: 1 Structure 2 Vehicle 3 Street/Alley 4 Lot/Park/Yard 5 VESSELS 6 Other												
DESCRIPTION OF SURROUNDING AREA: 1 Residential 2 Business 3 Industrial/Mfg. 4 Recreational 5 Institutional 6 Open Space 7 School 8 Marina/Water 9 Other												
FORCE TOOL WEAPON SPECIFY: EXCITTER HOW USED: THREATEN												
FORCE TOOL WEAPON SPECIFY: HOW USED:												
O. INFORMATION	TYPE OF STRUCTURE			POINT OF ENTRY			SECURITY USED			SUSPECT ACTIONS		
	1 ON-RESIDENTIAL 1 BANK/S&CU 2 BUSINESS OFFICE 3 COMMERCIAL VEHICLE 4 CONVENIENCE 5 DEPT 6 DRUG/MEDICAL 7 ENTERTAIN/RECREATION 8 FAST FOOD 9 FINANCE COMPANY 10 GAS/BERY. STA. 11 HOTEL/MOTEL 12 JEWELRY/COIN/PAWN 13 LIQUOR 14 MFG/CONSTRUCTION 15 PUBLIC BLDG 16 RESTAURANT/BAR 17 RETAIL GOODS 18 SCHOOL 19 SERVICES 20 SUPERMARKET 21 WHOLESALE 22 TARGET(S) 1 CASH REG/DRAWER 2 COIN-OP MACH 3 DISPLAY ITEMS 4 OFFICE 5 PERSON 6 SAFE/BOX 7 STORAGE AREA			1 RESIDENTIAL 1 ART/CONDO 2 DUPLEX/TOWNHIS 3 HOTEL/MOTEL 4 HOUSEBOAT 5 SINGLE DETACH 6 TRAILER 7 TARGET(S) 1 ATTIC 2 BATHROOM 3 BEDROOM 4 COIN OP MACH 5 DEN 6 ENTIRE HOUSE 7 FAMILY ROOM 8 GARAGE 9 KITCHEN 10 LIVING ROOM 11 PERSON 12 STORAGE AREA 13			1 N/A 1 UNKNOWN 2 FRONT 3 GARAGE 4 REAR 5 SIDE 6 GROUND LEVEL 7 UPPER LEVEL 8 DOOR 9 DUCT/VENT 10 ROOF/FLOOR 11 TRUNK/HOOD 12 WALL 13 WINDOW 14 15 N/A 1 ALARM 2 DEADBOLT 3 PADLOCK 4 SPRINGLATCH 5 SLIDE LATCH/ CHAIN 6 VEHICLE LOCK 7 WINDOW LATCH			1 UNKNOWN 2 ATE/DRANK ON PREMISES 3 BLINDFOLD VICTIM 4 BOUND VICTIM 5 CASED AREA 6 CHILD MOLEST 7 CHILD NEGLECT 8 CONCEALED GOODS 9 DEFEATED SECURITY 10 DEFEATED 11 DEMANDED CASH 12 DEMANDED JEWELRY 13 DISABLED PHONE 14 FIRED WEAPON 15 FOLLOWED/STALKED 16 FORCED ENTRY 17 FORCED VICTIM TO LAY ON FLOOR 18 FORCED VICTIM TO MOVE 19 FRAUD/FALSE PHETENSE 20 GANG RELATED 21 HI/CONCEALED OWN FACE/WORE MASK 22 HIDEOUT TECHNIQUE 23 INFLECTED INJURY 24 OFFERED ASSISTANCE 25 OFFERED DRUGS 26 OFFERED GAMBLING 27 OFFERED SEX 28 OTHER SEX ACTS 29 PICKED POCKET 30 PREPARED EXIT 31 PURSE SNATCH 32 PUSHED/SHOVED VICTIM 33 PUT CASH IN BAG/PURSE 34 RANSACKED 35 RAPEO 36 SHOPLIFTED 37 SMOKEO ON PREMISES 38 TAMPER WITH VEHICLE 39 THREATENED DETALTN. 40 TOOK ANIMALS 41 TOOK CASH FROM REGISTER PERSONALLY 42 TOOK ONLY JEWELRY 43 TOOK ONLY MDNEY 44 TOOK ONLY TOOLS 45 TOOK ONLY TV/STEREO/ CAMERA 46 TOOK PROPERTY FROM PERSON 47 TOOK PROPERTY FROM VEHICLE 48 TOOK VEH. PTS/ACCES 49 TOOK VICTIMS VEHICLE 50 USED DEMAND NOTE 51 USED LEFT HAND 52 USED LOOKOUT 53 USED MATCHES 54 USED PHONE 55 USED NIGHT HAND 56 USED STOLEN VEHICLE 57 USED THREATS 58 USED VICTIM'S TOOL 59 VANDALIZED 60 VEHICLE PROPERTY TO REMOVE PROPERTY 61 OTHER 62 THREATEN 63 PRETENDED TO BE.		
	PROPERTY											
ITEM NO. ARTICLE NAME STOLEN RECVD IDENTIFICATION NUMBERS BRAND, MAKE OR MANUFACTURER MODEL NAME AND MOOEL NUMBER MISCELLANEOUS DESCRIPTION VALUE												
1												
2												
3												
4												
ADMIN	VICTIM INJURED: Y N					EXTENT OF TREATMENT: NONE T TREATED H HOSPITAL D DEATH					SIC: Y YET A ADULT J JUVENILE N NO-PROBABLY IS A J ?	
	REPORTING OFFICER M. JOSE					I.D.# 1217 DIVISION INV 2.40m LT					APPROVE	
	DATE AND TIME OF REPORT MO. 08 DAY 28 YEAR 15 TIME 0500					CASE STATUS					DETECTIVE(S) ASSIGNED I.D.# 5740 SGT DUBBS	
MO. 08 DAY 28 YEAR 15 TIME 0500					AGENCY S.D.P.D					CRIME TYPE 245(C) PC		

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)
TIME (occurrence): 0016 Hours
LOCATION: 5644 Mission Center Road, San Diego, CA.
SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBBER, Robert Arthur W/M (54) 09/20/60

INVESTIGATION: (Security Video follow-up)

On August 28, 2015, I received a telephone call from Detective Sergeant Matt Dobbs #5228 of Homicide Team III that we were being assigned to investigate an Officer Involved Shooting that occurred at 5644 Mission Center Road in San Diego and I was directed to respond to that location for the briefing.

INVESTIGATION: (CVS Security video)

Detective Sergeant Dobbs #5228 assigned me to interview [REDACTED] told me the suspect was sitting at a display table that was outside of the front doors. After speaking with [REDACTED] I checked for CVS security video. [REDACTED] showed me the computer located upstairs where it is possible to view the security video. The video shows the front sliding doors of the CVS Pharmacy. The view is from the interior of the store and you can see outside of the glass doors and only a few feet on either side of the doors. The table where the suspect was sitting at is to the right of the glass doors and is not in view. The security video time was 18 minutes faster than actual time. We reviewed the video which showed the following:

2247 hours, (actual time 2229 hours):

Suspect is purchasing two bottles of wine at register and then walks out the store.

0028 hours, (0010 hours):

[REDACTED] walks out front doors to speak to the suspect and a few moments later [REDACTED] is seen running back in to the store. The suspect can be seen banging the glass just to the right of the sliding glass doors.

0031 hours, (0013 hours):

A male wearing a green sports jersey is seen walking out of the store. [REDACTED] identified this person as the Hispanic male he warned to be careful as he walked out of the store. Shortly after the Hispanic male the suspect is seen taking the rug lying on the cement just outside of the sliding glass doors.

Investigator's Report

Witness: [REDACTED]

Case #15-037226; #15-037227

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0033 hours, (0015 hours):

Officer Oberndorfer parks his patrol vehicle in front of the store. Just the headlights of the patrol vehicle can be seen on the right side of the screen. Approximately 20 seconds later the suspect can be seen walking in front of the sliding glass doors from the west to the east where he falls down just to the left of the glass doors. Officer Oberndorfer can be seen walking over to the suspect. The video ends after paramedics had arrived.

[REDACTED] said he was unable to download a copy of the video to give to me but his [REDACTED] would be at [REDACTED]

At approximately 0700 hours I returned to the CVS Pharmacy to recover the security video and spoke with [REDACTED]. I told him that I wanted a copy of the video showing the suspect making his purchase and finishing when the paramedics arrive. [REDACTED] gave me two compact discs containing the video. [REDACTED] told me the discs also contained the software to view the video. I attempted to view the video at Police Headquarters and was unable to.

I also told [REDACTED] that [REDACTED] told me a Hispanic male had made a purchase just after [REDACTED] ran back in to the store. [REDACTED] had warned the male to be careful walking out the store. I asked [REDACTED] if he could check the video for the male. [REDACTED] told me the Hispanic male made his purchase with cash and he was unable to provide me with a name for this customer. I impounded the two compact discs in the Property Room located at Police Headquarters under Incident #15080049480.

INVESTIGATION: [REDACTED] security video)

On August 28th, 2015, I contacted [REDACTED] who is a [REDACTED] at the [REDACTED] located at [REDACTED] in San Diego. [REDACTED] walked me over to a computer in the front office of the store. There was no deviation on the video time versus the actual time. I checked for the suspect on the security video to see if he had entered the store prior to the shooting. I viewed from 2200 hours to 0015 hours and did not see the suspect enter the store or walking in front of the store.

Investigator's Report

Witness: [REDACTED]

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INVESTIGATION: [REDACTED] security video)

On August 28th, 2015, I contacted [REDACTED] who works at the [REDACTED] located at [REDACTED] in San Diego. [REDACTED] showed me the security video for the store. The time on the video was 2 minutes faster than actual time. The video shows the interior of the front doors and just outside the door a few feet [REDACTED] told me that at night the video is motion activated. We checked the video and did not see the suspect on the video prior to the shooting incident.



INVESTIGATION: (Additional businesses)

I attempted to obtain security video from the other businesses located in the strip mall where the incident occurred. I contacted the following business and I was not able to obtain or view security video. These businesses did not have security video for various reasons. The security cameras were not working, the business did not have security cameras, or the security cameras did not show the outside of the business. I also checked the exterior of the strip mall buildings for any security cameras and did not find any.

The following businesses were contacted:



Reporting Detective Marc Jose

I.D. 4217

Homicide Team: III

Approved by: Sgt M. Dobbs #5228

Date of this report: 8/31/15

Time: 1310 Hours.

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)

TIME (occurrence): 0016 Hours

LOCATION: 5644 Mission Center Road, San Diego, CA.

SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBER, Robert Arthur W/M (54) 09/20/60

INVESTIGATION: (Body Worn Camera videos)

On August 28th, 2015, Officer Oberndorfer #5672 was involved in an Officer Involved Shooting while arriving at the scene of a radio call (Incident #15080049480) of a male threatening [REDACTED] with a box cutter at the CVS Pharmacy located at 5944 Mission Center Road in San Diego. On August 28th, 2015, I downloaded 3 Body Worn Camera (BWC) videos related to this incident. On September 1st, 2015, I checked again and found additional BWC videos. I reviewed each of these videos. The audio on the video does not come on until after the first 30 seconds on each of the videos.

Officer Oberndorfer's, #5672, BWC video:

I reviewed the Officer Oberndorfer's BWC video from the Evidence.com computer system which shows the video starting time at 00:15:56 hours and 7 minutes and 16 seconds long. The video begins with Officer Oberndorfer driving his patrol vehicle to the CVS Pharmacy. Officer Oberndorfer parked his vehicle in front of the CVS Pharmacy front doors and exits his vehicle. As he is exiting the patrol vehicle, you can see the suspect already advancing towards the officer. The suspect is coming from the area in front of the CVS front doors. He quickly advances towards the officer, stepping down from the curb, into the parking lot, and continues towards the officer.

As the officer exits his vehicle, he retrieves his handgun and points it at the suspect who is still advancing towards him. The officer begins to walk backwards, and away from the suspect. By now the 30 second audio delay on the BWC has ended and sound can now be heard. The officer can be heard giving the suspect commands by yelling, "Put the knife down". The officer continues to walk backwards and passes the rear end of his vehicle by several feet. The suspect continues walking towards the officer and has made his way past the driver's door of the patrol vehicle. The suspect can be seen holding the box cutter in his right hand and brings it up in a throwing motion. The officer fires his handgun two times with the first shot occurring as the suspect begins to throw the box cutter, and the second shot occurring shortly after the first shot. The suspect then turns away from the officer and begins to walk back towards the front doors of the CVS. The officer announces on his radio that shots have been fired and then yells commands at the suspect to get down on the ground. The suspect walks eastbound in front of the CVS doors and stops next to a stucco pillar on the right side of the doors. The suspect leans against the pillar momentarily with his back to the officer who is still yelling commands at him to get down on the ground. After a few moments, the suspect falls backward with his head striking the cement ground. The officer handcuffs the suspect, checks for a carotid pulse, and tells the suspect that medics are on the way.

Additional officers arrive and assist the officer with containing the scene. An officer begins CPR on the suspect. The video ends with Officer Oberndorfer talking to Sergeant Holslag #5356.

Officer Aaron Sultan, #7278, BWC video:

Officer Aaron Sultan had two BWC videos for this incident. The BWC was turned on at 00:21:58 hours and is 12 minutes and 25 seconds long. The video begins with the officer walking up to the front of the CVS store. The suspect is lying on the cement and two officers appear to be attending to the suspect. One of the officers is doing CPR chest compressions for the suspect. The second officer is kneeling near the suspect's head. A third officer is standing next to them. The officer then begins to use yellow police tape to cordon off the scene. After about one and half minutes of video, a fire engine arrives. The video ends with Officer Sultan continuing to tape off the scene.

Officer Sultan's second BWC video began at 00:46:43 hours and the duration was 10 minutes and 48 seconds long. This video begins with the officer standing near an ambulance that drives away from him. At about one minute into the video a female tells the officer about a male who is at the scene, "You guys already had words with him once. He wouldn't get out of the area and he is crazy or on something". The female then walks away. The officer then tells another officer that a male in a black shirt was being a problem and was trying to get through the tape but he would watch him. Officer Sultan then monitors the area he had taped off until the end of the video.

Officer Houshawn Legrand, #61998, BWC video:

Officer Legrand's BWC video was turned on at 00:19:55 hours and the duration was 9 minutes and 32 seconds. The video begins with Officer Legrand in front of the CVS front doors. He walks to the suspect who is lying on the cement ground face down while Officer Oberndorfer removes the handcuffs from the suspect's wrists. At about 30 seconds into the video Officer Legrand begins CPR chest compressions on the suspect. At 45 seconds into the video Officer Legrand checks the suspect's carotid artery and says he does not have a pulse and continues CPR. Officer Legrand tells an officer to get his CPR mask. Another officer can be heard saying, "Stay with me bud". At 1 minute and 14 seconds you can hear an officer say, "He's breathing, no pulse". At 2 minutes, Officer Legrand says, "He's taking breaths but I have no pulse". At 2 minutes and 10 seconds an officer says he is bleeding out and Officer Legrand says, "Turn his head away". Officer Legrand continues to do chest compressions until 4 minutes and 28 seconds when firemen arrive and take over medical aid.

Officer Alex Chiappone, #7194, BWC video:

Officer Chiappone's BWC video was turned on at 00:21:20 hours and was 4 minutes and 47 seconds long. The video begins with Officer Chiappone driving his patrol vehicle to the scene and parking on the west side of the parking lot. Officer Chiappone runs to the front of the CVS store where firemen are attending to the suspect. Officer Chiappone enters the CVS store and separates the three employees in the store. He advises them to not make any statement to each other and detectives will be coming to talk to them. Shortly after this the video ends.

Investigator's Report

Witness: [REDACTED]

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Officer Brian Moore, #5556, BWC video:

Officer Moore's BWC was turned on at 00:33:03 hours and was 10 minutes and 48 seconds long. The video begins with Officer Moore walking up to another officer who is talking to a male. The officer is attempting to obtain a phone number for the person. Officer Moore then assists with taping off the mall parking lot and the video ends.

Officer Anthony Fiorillo, #7205, BWC video:

Officer Fiorillo's BWC was turned on at 00:22:02 hours and is 10 minutes and 2 seconds long. The video begins with Officer Fiorillo assisting two officers who are giving CPR to the suspect. At around 2 minutes in the video, firemen arrive and take over medical aid for the suspect. The video ends with Officer Fiorillo assisting at the scene.

Reporting Detective Marc Jose I.D. 4217 Homicide Team: III
Approved by: Sgt M. Dobbs #5228 Date of this report: 8/31/15 Time: 1310 Hours.

08/31/15 05:34:57 PRINT REQUESTED BY TERMINAL TAPR

Incident History for: #P15080049480 Xref: #P15080049276

Case Numbers: \$PR150037227

Received 08/28/15 00:10:54 BY CT32 8980
Entered 08/28/15 00:11:40 BY CT32 8980
Dispatched 08/28/15 00:12:08 BY RC03 8441
Enroute 08/28/15 00:12:10
Onscene 08/28/15 00:14:38
Closed 08/28/15 09:34:43

Initial Type: 417

Final Type: 417 (THREATENING W/WEAPON) Pri: E Dispo: O

Police BLK: 0870200201500 FMap: 2324G2 TMap: 1269B2 Group: P3

Beat: 315 Src: 9 Inc Cmdr:

Loc: 5644 MISSION CENTER RD btwn FRIARS RD RA & MISSION CENTER DY

Loc Info: CVS PHARMACY

Name: [REDACTED] Addr: 5644 MISSION CENTER RD Phone: [REDACTED]

/0011 (8980) NBRHD Mission Valley East
/0011 ENTRY TRANSIENT MALE SCREAMING YELLING// HAS A BOX CUTT
ER// CHASED [REDACTED] BAC K INTO STORE// HC
/0012 (8630) MMISC , ((08/28/15 00:11:58 TO LDET FROM LD01))
/0012 (8441) DISP 2931N3 #5565 WINANS, DAVID J
/0012 ASSTER 315S3 #5753 SWADENER, ARTURO
/0013 MISC , SUSP IFO LOC, WM 55YRS, 6F MED BLK SHIRT JEANS
/0013 MISC , ALSO HAS SHOPPING CART FROM THE STORE, BOUGHT WI
NE THAT BROKE IN THE STREET
/0013 ASST 313J3 [5644 MISSION CENTER RD]
#5672 OBERNDORFER, ERIC
/0014 ONSCNE 313J3
/0014 MISC , SUSP POSS BY TABLE IFO STORE, LIT SOMETHING ON
FIRE, POSS A PIECE OF PAPER
/0015 ASSTER 314K3 [5644 MISSION CENTER RD]
#6750 HUMES, MARIA "CHANCIE"
#7194 CHIAPPONE, ALEXANDER J
/0015 EMER 313J3 , Tone Activated
/0016 MISC 313J3 , SHOTS FIRED COVER NOW
/0016 ASSTER ABLE3 [5644 MISSION CENTER RD]
#5287 RODRIGUEZ, ELIAS
#6017 TERRANOVA, TOBIA
/0016 MISC 313J3 , SUSP DOWN ON GROUND, MEDICS WILL BE ENRT
/0016 ASSTER 326S3 [5644 MISSION CENTER RD]
#5400 HELLER, PATRICK
/0017 (8630) MMISC , ((08/28/15 00:15:58 TO LDET FROM LD01))
/0017 (8441) ASSTER 2948N2 [5644 MISSION CENTER RD]
#4998 LEACH, DANIEL W
/0017 ASST 312J3 [5644 MISSION CENTER RD]
#5556 MOORE, BRIAN D
/0017 MMISC 313J3 , SUSP STILL BREATHING, NOT CONSCIOUS
/0018 MMISC 313J3 , NO OFFICERS INJURED
/0018 ONSCNE ABLE3
/0018 ASSTER 324J3 [5644 MISSION CENTER RD]
#6394 ROMBERGER, TIMOTHY A
/0018 MISC ABLE3 , FRONT DOORS OF CVS FOR UNITS AND FIRE
/0018 ASSTER 326J3 [5644 MISSION CENTER RD]
#5651 ESCALANTE, MANUEL
/0018 ASST L5 [5644 MISSION CENTER RD]
#4528 BEHRENDT, STEVEN M

/0018	ONSCNE	312J3	, WEST SIDE OF PLOT IS SHUT DOWN
/0019	ASSTOS	352Q3	[5644 MISSION CENTER RD]
			#6382 JAUREGUI, JOSHUA A
			#6390 QUINN, RYAN P
/0019	MMISC	352Q3	, SHUT DOWN LOT BY SUPERMARKET
/0019	MMISC	352Q3	, WILL SHUT DOWN EAST SIDE
/0019	MMISC	315S3	, TO SHUT DOWN ENTIRE PLOT
/0020	ONSCNE	352Q3	
/0020	ONSCNE	315S3	
/0020	MMISC	352Q3	, TAKING MISSION CENTER SIDE
/0020	(6750) *ONSCNE	314K3	
/0020	(8441) CLEAR	ABLE3	
/0020	ONSCNE	326S3	, STARTING CPR
/0021	ASSTOS	325S3	[5644 MISSION CENTER RD]
			#4657 MC DONALD, ROBERT R
/0021	MMISC	314K3	, MEDIA IS 97
/0021	ASSTER	315Z2	#6606 ROBLES, CARLOS
			#6523 COOPER, ERIC
			, C3 PER CT24
/0022	ONSCNE	326J3	
/0022	ONSCNE	2931N3	
/0022	ASSTOS	327H2	[5644 MISSION CENTER RD]
			#7337 GONZALEZ, CESAR A
			#5245 HODGES, DIANA G
			, BLOCKING NORTH SIDE
/0022	(6394) *ONSCNE	324J3	
/0023	(8441) MISC	315S3	, CPR STILL IN PROGRESS
/0023	MMISC	315S3	, ENG 45
/0024	ONSCNE	L5	
/0025	MMISC	326S3	, DROPPING TONE, MEDICS 97
/0027	MMISC	315S3	, *** 315J WILL BE THE SCRIBE ***
/0027	ASSTOS	315J3	[5644 MISSION CENTER RD]
			#7205 FIORILLO, ANTHONY J
/0027	ASSTOS	323J3	[5644 MISSION CENTER RD]
			#6198 LEGRAND, HOUSHAWN
/0028	ASSTOS	323S2	[5644 MISSION CENTER RD]
			#5323 AVALOS, GARY
/0029	CHGLOC	325S3	[SUB]
			, W/313J
/0029	CHGLOC	313J3	[SUB]
/0030	ASSTOS	323Y2	[5644 MISSION CENTER RD]
			#7278 SULTAN, AARON J
/0030	(8657) ASST	515S3	[EASTERN SUB]
			#6179 NGUYEN, NICHOLAS T
/0030	(8441) MMISC	2931N3	, MEDIC 36
/0033	ASSTOS	306T3	[5644 MISSION CENTER RD]
			#6366 GARCIA, CHRISTOPHER
/0033	NEWLOC	306T3	[MISSION CENTER DY/MISSION CENTER RD]
/0034	ASSTOS	2950S2	[5644 MISSION CENTER RD]
			#5356 HOLSLAG, SCOTT R
			, UNK EXACT 97 TIME
/0035	(8912) MMISC		, PDA R. CAHILL NOTIFIED AT 0027 // AM16/SLMARTIN
/0035	(8441) MMISC	315S3	, 1144 AT 0034 HRS
/0037	(4657) *ONSCNE	325S3	
/0041	(5565) *CLEAR	2931N3	
/0043	(8441) ONSCNE	313J3	
/0046	CALLBK	315S3	, PLS GET TEMP FROM LINDBERGH FIELD
/0053	ONSCNE	2948N2	, UNK EXACT 97 TIME
/0054	(5356) *CLEAR	2950S2	
/0056	(8441) ASSTOS	2950S2	[5644 MISSION CENTER RD]

			#5356	HOLSLAG, SCOTT R
/0056		ONSCNE	315Z2	
/0056	(8105)	ASSTER	1600C	#4303 NISLEIT, DAVID S
{ '0025?	(8441)	ONSCNE	2948N2	
, 0058		ASSTER	2372	[SUB]
				#0864 PRICE, CHUCK
/0101		NEWLOC	315J3	[SCRIBE]
/0101		ONSCNE	2372	
/0101	(8630)	ASSTER	HOM3	
/0101	(8288)	SUPP		
				TXT: PER NATIONAL WEATHER SERVICE, TEMPERATURE WA
				S 75 DEGREES // CT03
/0102	(8630)	ASSTER	4002S	#5475 ZWIBEL, EDWARD
/0108	(8848)	MISC	L5	, ANY ADDITIONAL MEDIA CAN COME IN THROUGH MISSIO
				N CENTER AND STAGE BY THE SUBWAY
/0109		ONSCNE	1600C	
/0109		ASSTOS	300C	[5644 MISSION CENTER RD]
				#4614 COLON, BERNIE T
/0109		ASSTOS	1	[5644 MISSION CENTER RD]
				#3463 ZIMMERMAN, SHELLEY
/0114		ASSTER	310L	[EASTERN SUB]
				#3950 BROWN, ANDRA E
/0127		MMISC		, ****ABLE VIDEO #3724*****
/0132	(8630)	ONSCNE	HOM3	
/0132		ONSCNE	4002S	
/0210	(8441)	CLEAR	L5	
/0226		MMISC	310L	, UT ON EAST PERIMETER MISSION CENTER SIDE CAN OP
				EN IT UP, KEEP SCENE CLOSED AT COMMAND VAN AND PO
				LICE CAR BY FLAME BROILER, RALPHS EMPLOYEES CAN C
				OME IN NOW
()230	(6382)	*CLEAR	352Q3	
/0245	(8441)	CLEAR	2372	
/0252		CLEAR	323S2	
/0306		CROSS		#P15080049276
/0310	(5356)	*CLEAR	2950S2	
/0312	(8441)	CLEAR	327H2	
/0314	(6366)	*CLEAR	306T3	
/0324	(4998)	*CLEAR	2948N2	
/0344	(8441)	CLEAR	323Y2	
/0344		CLEAR	315Z2	
/0354	(8848)	CLEAR	325S3	
/0358	(6394)	*CLEAR	324J3	
/0402	(8441)	CLEAR	326S3	
/0519	(8635)	MISC	HOM3	, PATRIOT T4 ON CLEAN UP PER DET NEWQUIST REQ/LD02
/0519	(8657)	ONSCNE	515S3	, TIME INCORRECT
/0522	(8441)	MMISC	315S3	, WRAPPING UP SCENE, WILL BREAK IT DOWN WHEN CRIM
				E LAB IS FINISHED, WILL NEED ONE UNIT TO RELIEVE
				315J3, 325S T4
/0538	(8760)	ASNCAS		\$PR150037226
/0538	(8441)	\$PREMPT	312J3	
/0539	(8760)	ASNCAS		\$PR150037227
/0554	(5672)	*CLEAR	313J3	
/0555	(6179)	*CLEAR	515S3	
/0559	(8976)	CLEAR	315S3	
/0616	(6750)	*CHGLOC	314K3	[9225 AERO DRIVE]
				, 10-19/10-42
(,619		*ONSCNE	314K3	
/0620	(5651)	*CLEAR	326J3	D/O
/0622	(6198)	*CLEAR	323J3	
/0623	(8976)	ASST	315J1	[SCRIBE]
				#6451 SCHULTZ, RYAN

/0624	(6750)	*CLEAR	314K3	
/0624	(8976)	NEWLOC	315J1	[5644 MISSION CENTER RD]
/0637	(6451)	*ONSCNE	315J1	
/0646	(7205)	*CHGLOC	315J3	[SUB]
/0652		*ONSCNE	315J3	
/0656		*CLEAR	315J3	
/0708	(8976)	ASST	314J1	[SUB]
				#6833 DOLL, CURTIS A
				, TO TRANSPORT PACKET TO HOM
/0709	(6833)	*ENROUT	314J1	
/0710	(6451)	*CLEAR	315J1	
/0733	(6833)	*ONSCNE	314J1	
/0746		*CHGLOC	314J1	[HQ]
/0750		*ONSCNE	314J1	
/0815	(8254)	\$PREMPT	1	
/0841	(8976)	\$PREMPT	314J1	
/0934		CLEAR	HOM3	D/O
/0934		CLEAR	300C	D/O
/0934		CLEAR	310L	D/O
/0934		CLEAR	1600C	D/O
/0934		CLEAR	4002S	D/O
/0934		CLOSE	4002S	D/O

08/28/15 05:29:26 Message received from CAD
Incident History for: #P15080049480 Xref: #P15080049276

Received 08/28/15 00:10:54 BY CT32 8980
Entered 08/28/15 00:11:40 BY CT32 8980
Dispatched 08/28/15 00:12:08 BY RC03 8441
Route 08/28/15 00:12:10
Onscene 08/28/15 00:14:38

Initial Type: 417
Final Type: 417 (THREATENING W/WEAPON) Pri: E Dispo:
Police BLK: 0870200201500 FMap: 2324G2 TMap: 1269B2 Group: P3
Beat: 315 Src: 9 Inc Cmdr:
Loc: 5644 MISSION CENTER RD btwn FRIARS RD RA & MISSION CENTER DY

Loc Info: CVS PHARMACY

Name: [REDACTED] Addr: 5644 MISSION CENTER RD Phone: [REDACTED]

/0011 (8980) NBRHD Mission Valley East
/0011 ENTRY TRANSIENT MALE SCREAMING YELLING// HAS A BOX CUTT
ER// CHASED [REDACTED] BAC K INTO STORE// HC
, ((08/28/15 00:11:58 TO LDET FROM LD01))
/0012 (8630) MMISC
/0012 (8441) DISP 2931N3 #5565 WINANS, DAVID J
/0012 ASSTER 315S3 #5753 SWADENER, ARTURO
/0013 MISC , SUSP IFO LOC, WM 55YRS, 6F MED BLK SHIRT JEANS
/0013 MISC , ALSO HAS SHOPPING CART FROM THE STORE, BOUGHT WI
NE THAT BROKE IN THE STREET
/0013 ASST 313J3 [5644 MISSION CENTER RD]
#5672 OBERNDORFER, ERIC
/0014 ONSCNE 313J3
/0014 MISC , SUSP POSS BY TABLE IFO STORE, LIT SOMETHING ON
FIRE, POSS A PIECE OF PAPER
(/15 ASSTER 314K3 [5644 MISSION CENTER RD]
#6750 HUMES, MARIA "CHANCIE"
#7194 CHIAPPONE, ALEXANDER J
/0015 EMER 313J3 , Tone Activated
/0016 MISC 313J3 , SHOTS FIRED COVER NOW
/0016 ASSTER ABLE3 [5644 MISSION CENTER RD]
#5287 RODRIGUEZ, ELIAS
#6017 TERRANOVA, TOBIA
/0016 MISC 313J3 , SUSP DOWN ON GROUND, MEDICS WILL BE ENRT
/0016 ASSTER 326S3 [5644 MISSION CENTER RD]
#5400 HELLER, PATRICK
/0017 (8630) MMISC , ((08/28/15 00:15:58 TO LDET FROM LD01))
/0017 (8441) ASSTER 2948N2 [5644 MISSION CENTER RD]
#4998 LEACH, DANIEL W
/0017 ASST 312J3 [5644 MISSION CENTER RD]
#5556 MOORE, BRIAN D
/0017 MMISC 313J3 , SUSP STILL BREATHING, NOT CONSCIOUS
/0018 MMISC 313J3 , NO OFFICERS INJURED
/0018 ONSCNE ABLE3
/0018 ASSTER 324J3 [5644 MISSION CENTER RD]
#6394 ROMBERGER, TIMOTHY A
/0018 MISC ABLE3 , FRONT DOORS OF CVS FOR UNITS AND FIRE
/0018 ASSTER 326J3 [5644 MISSION CENTER RD]
#5651 ESCALANTE, MANUEL
/0018 ASST L5 [5644 MISSION CENTER RD]
#4528 BEHRENDT, STEVEN M
(/18 ONSCNE 312J3 , WEST SIDE OF PLOT IS SHUT DOWN
/0019 ASSTOS 352Q3 [5644 MISSION CENTER RD]
#6382 JAUREGUI, JOSHUA A
#6390 QUINN, RYAN P
/0019 MMISC 352Q3 , SHUT DOWN LOT BY SUPERMARKET
/0019 MMISC 352Q3 , WILL SHUT DOWN EAST SIDE

/0019 MMISC 315S3 , TO SHUT DOWN ENTIRE PLOT
 /0020 ONSCNE 352Q3
 /0020 ONSCNE 315S3
 /0020 MMISC 352Q3 , TAKING MISSION CENTER SIDE
 /0020 (6750) *ONSCNE 314K3
 /0020 (8441) CLEAR ABLE3
 /0020 ONSCNE 326S3 , STARTING CPR
 /0021 ASSTOS 325S3 [5644 MISSION CENTER RD]
 #4657 MC DONALD, ROBERT R
 /0021 MMISC 314K3 , MEDIA IS 97
 /0021 ASSTER 315Z2 #6606 ROBLES, CARLOS
 #6523 COOPER, ERIC
 , C3 PER CT24
 /0022 ONSCNE 326J3
 /0022 ONSCNE 2931N3
 /0022 ASSTOS 327H2 [5644 MISSION CENTER RD]
 #7337 GONZALEZ, CESAR A
 #5245 HODGES, DIANA G
 , BLOCKING NORTH SIDE
 /0022 (6394) *ONSCNE 324J3
 /0023 (8441) MISC 315S3 , CPR STILL IN PROGRESS
 /0023 MMISC 315S3 , ENG 45
 /0024 ONSCNE L5
 /0025 MMISC 326S3 , DROPPING TONE, MEDICS 97
 /0027 MMISC 315S3 , *** 315J WILL BE THE SCRIBE ***
 /0027 ASSTOS 315J3 [5644 MISSION CENTER RD]
 #7205 FIORILLO, ANTHONY J
 /0027 ASSTOS 323J3 [5644 MISSION CENTER RD]
 #6198 LEGRAND, HOUSHAWN
 /0028 ASSTOS 323S2 [5644 MISSION CENTER RD]
 #5323 AVALOS, GARY
 /0029 CHGLOC 325S3 [SUB]
 , W/313J
 /0029 CHGLOC 313J3 [SUB]
 /0030 ASSTOS 323Y2 [5644 MISSION CENTER RD]
 #7278 SULTAN, AARON J
 /0030 (8657) ASST 515S3 [EASTERN SUB]
 #6179 NGUYEN, NICHOLAS T
 /0030 (8441) MMISC 2931N3 , MEDIC 36
 /0033 ASSTOS 306T3 [5644 MISSION CENTER RD]
 #6366 GARCIA, CHRISTOPHER
 /0033 NEWLOC 306T3 [MISSION CENTER DY/MISSION CENTER RD]
 /0034 ASSTOS 2950S2 [5644 MISSION CENTER RD]
 #5356 HOLSLAG, SCOTT R
 , UNK EXACT 97 TIME
 /0035 (8912) MMISC , PDA R. CAHILL NOTIFIED AT 0027 // AM16/SLMARTIN
 /0035 (8441) MMISC 315S3 , 1144 AT 0034 HRS
 /0037 (4657) *ONSCNE 325S3
 /0041 (5565) *CLEAR 2931N3
 /0043 (8441) ONSCNE 313J3
 /0046 CALLBK 315S3 , PLS GET TEMP FROM LINDBERGH FIELD
 /0053 ONSCNE 2948N2 , UNK EXACT 97 TIME
 /0054 (5356) *CLEAR 2950S2
 /0056 (8441) ASSTOS 2950S2 [5644 MISSION CENTER RD]
 #5356 HOLSLAG, SCOTT R
 /0056 ONSCNE 315Z2
 /0056 (8105) ASSTER 1600C #4303 NISLEIT, DAVID S
 /0025? (8441) ONSCNE 2948N2
 /0058 ASSTER 2372 [SUB]
 #0864 PRICE, CHUCK
 /0101 NEWLOC 315J3 [SCRIBE]
 /0101 ONSCNE 2372
 /0101 (8630) ASSTER HOM3
 /0101 (8288) SUPP

TXT: PER NATIONAL WEATHER SERVICE, TEMPERATURE WA

S 75 DEGREES // CT03
 /0102 (8630) ASSTER 4002S #5475 ZWIBEL, EDWARD
 /0108 (8848) MISC L5 , ANY ADDITIONAL MEDIA CAN COME IN THROUGH MISSIO
 N CENTER AND STAGE BY THE SUBWAY
 /0109 ONSCNE 1600C
 /0109 ASSTOS 300C [5644 MISSION CENTER RD]
 #4614 COLON, BERNIE T
 /0109 ASSTOS 1 [5644 MISSION CENTER RD]
 #3463 ZIMMERMAN, SHELLEY
 /0114 ASSTER 310L [EASTERN SUB]
 #3950 BROWN, ANDRA E
 /0127 MMISC , ****ABLE VIDEO #3724*****
 /0132 (8630) ONSCNE HOM3
 /0132 ONSCNE 4002S
 /0210 (8441) CLEAR L5
 /0226 MMISC 310L , UT ON EAST PERIMETER MISSION CENTER SIDE CAN OP
 EN IT UP, KEEP SCENE CLOSED AT COMMAND VAN AND PO
 LICE CAR BY FLAME BROILER, RALPHS EMPLOYEES CAN C
 OME IN NOW
 /0230 (6382) *CLEAR 352Q3
 /0245 (8441) CLEAR 2372
 /0252 CLEAR 323S2
 /0306 CROSS #P15080049276
 /0310 (5356) *CLEAR 2950S2
 /0312 (8441) CLEAR 327H2
 /0314 (6366) *CLEAR 306T3
 /0324 (4998) *CLEAR 2948N2
 /0344 (8441) CLEAR 323Y2
 /0344 CLEAR 315Z2
 /0354 (8848) CLEAR 325S3
 /0358 (6394) *CLEAR 324J3
 /0402 (8441) CLEAR 326S3
 /0519 (8635) MISC HOM3 , PATRIOT T4 ON CLEAN UP PER DET NEWQUIST REQ/LD02
 /0519 (8657) ONSCNE 515S3 , TIME INCORRECT
 /0522 (8441) MMISC 315S3 , WRAPPING UP SCENE, WILL BREAK IT DOWN WHEN CRIM
 E LAB IS FINISHED, WILL NEED ONE UNIT TO RELIEVE
 315J3, 325S T4

SAN DIEGO POLICE DEPARTMENT HOMICIDE SECTION CALLOUT SHEET

DATE/TIME: 08/28/2015 0016

LOCATION: 5644 Mission center RD

AREA: EA BEAT: 315 APT: CASE TYPE: OIS-Special Investigation CASE #: 15-037226

RELATED CASE TYPE / #: WEAPON: METHOD OF DEATH: MOTIVE:
Other

VICTIM

NAME: OBERNDORFER, Eric

RACE: White SEX: Male HEIGHT: 6'00" WEIGHT: 170 AGE: DOB:

IDENTIFICATION: SSN: CDL FBI: CII:
HOME ADDRESS PHONE

OCCUPATION EMPLOYER PHONE
LAW ENFORCEMENT City of San Diego

SUSPECT(s)

NAME: ,

RACE: SEX: HEIGHT: WEIGHT: AGE: DOB: 9/20/1960

IDENTIFICATION SSN: CDL FBI: CII:
HOME ADDRESS PHONE

OCCUPATION EMPLOYER PHONE

ARREST DATE: CHARGES: WARRANT:

NAME: HOBER, Robert

RACE: White SEX: Male HEIGHT: 6'02" WEIGHT: 240 AGE: DOB:

IDENTIFICATION SSN: CDL FBI: CII:
HOME ADDRESS PHONE

OCCUPATION EMPLOYER PHONE

Print Date 1/20/2016
Case # 15-037226
Victim: OBERNDORFER, Eric

INVESTIGATIVE PERSONNEL

HOMICIDE PERSONNEL:

SERGEANT MATT DOBBS 5228
DETECTIVE MARC JOSE 4217
DETECTIVE LOU MAGGI 5595
DETECTIVE RONALD NEWQUIST 4999
POLDET WILLIAM KELLNER 5776
POLDET TAMMY CLENDENEN 6236

FORENSIC SPECIALIST: Jennifer Sanders
TEAM : 3 CRIMINALIST: Tess Hemmerling
DDA:
MEDICAL EXAMINER: Wagner
INVESTIGATOR:

CANCELLED BY: SGT. M. DOBBS DATE: 1/13/2016 TO RECORDS: 1/20/2016

CASE SYNOPSIS / REVISIONS

On August 28, 2015, at 0022 hours, I was notified by Lieutenant Mike Hastings that Homicide Team III was being assigned to investigate an officer involved shooting at 5644 Mission Center Road. I notified the other members of Team III (Detectives Newquist, Jose, Maggi and Clendenen-relief) and CSS Jennifer Sanders. We assembled at the scene and were briefed by Sergeant Art Swadener at 0145 hours.

Sergeant Swadener told us communications received a call at 0011 hours on August 28, 2015 from [REDACTED] at the CVS located at 5644 Mission Center Road. [REDACTED] said a male had chased [REDACTED] into the store. [REDACTED] said the male was armed with a box cutter and was now possibly seated in front of the store at a table. [REDACTED] described the male to the dispatcher as; a white male, 55 years old, 6 feet tall, wearing a black shirt and jeans.

Officer Eric Oberndorfer #5672 was dispatched to the call, along with other officers. Officer Oberndorfer was the first to arrive on scene at 0016 hours. As Officer Oberndorfer was driving through the strip mall, he did not initially see the suspect (Later identified as Robert Hober) sitting at the table in front of the CVS. Officer Oberndorfer's view of the table and suspect was obscured by a large stucco pillar. When Hober saw Officer Oberndorfer, he stood up as Officer Oberndorfer stopped his car to get out. Hober immediately began yelling at the Officer Oberndorfer. Hober pulled out a box cutter and began advancing on Officer Oberndorfer. Officer Oberndorfer gave verbal commands to Hober, directing him to drop the weapon. Hober refused to drop the weapon and began advancing on Officer Oberndorfer. Officer Oberndorfer fired his handgun twice, with both rounds striking the Hober. One round struck Hober in the chest, just below the left nipple. The second round struck Hober in the right knee. Hober eventually fell to the ground, where Officer Oberndorfer handcuffed him. Other officers arrived and began providing first aid, eventually performing CPR until relieved by medics (Engine 45 and Medic 36). Hober was pronounced deceased at the scene by Doctor Deaver from Mercy Hospital at 0034 hours.

Print Date 1/20/2016
Case # 15-037226
Victim: OBERNDORFER, Eric

At the conclusion of the briefing I directed Detectives Newquist and Kellner to process the scene, along with CSS Sanders and Criminalist Hemmerling. I directed Detectives Maggi, Jose and Clendenen to contact the witnesses and attempt to secure any surveillance video footage.

Officer Oberndorfer, Peer Support Sergeant Nick Nguyen and POA Attorney Rick Pinkard returned to the scene and conducted a walk through. Officer Oberndorfer, Sergeant Nguyen and Attorney Pinkard then met with Lieutenant Hastings and me at headquarters for the interview. During the interview, Sergeant Nguyen transported Officer Oberndorfer's Body Worn Camera to Central Division where it was docked and downloaded. Sergeant Nguyen later returned, with the BWC, to the Homicide Office.

Lieutenant Hastings and I interviewed Officer Oberndorfer in the presence of Attorney Rick Pinkard. Also present for the interview was Lieutenant Mike Holden. The following is a brief synopsis of what Officer Oberndorfer told us. The interview was digitally recorded and can be referred to (Along with the transcription of the interview) for further details. Officer Oberndorfer reviewed his BWC footage prior to our interview.

Officer Oberndorfer responded to a call of a male at the CVS Pharmacy threatening [REDACTED] with a box cutter. The male was described as a white male wearing a black shirt. The male was supposed to be sitting at a table in front of the store. As Officer Oberndorfer was driving through the lot, he did not see any tables in front of the CVS. As he neared the front doors of the CVS, he could see a table that had been blocked by a large pillar. Officer Oberndorfer saw a male sitting at the table and noticed he matched the description from the radio call. The area was well lit and he did not have any difficulty seeing. As Officer Oberndorfer was stopping his car to get out, the male (Later identified as Robert Hober) quickly stood up and began yelling unintelligibly at Officer Oberndorfer. Hober pulled out a box cutter and held it in what he described as a "threatening manner". Officer Oberndorfer drew his weapon and began giving Hober verbal commands to drop the weapon and stop. As Officer Oberndorfer was giving Hober verbal commands, Officer Oberndorfer backed up several steps in order to gain time and distance, affording Hober the opportunity to surrender. Hober raised the box cutter in his right hand, over his head, and appeared as if he was going to throw it at Officer Oberndorfer. Officer Oberndorfer could see the blade of the box cutter reflecting the surrounding lights. Officer Oberndorfer feared he would be seriously injured by the box cutter if it were thrown, so he decided to fire his weapon to protect himself. As Officer Oberndorfer fired his weapon, Hober threw the box cutter at him. The box cutter landed at Officer Oberndorfer's feet. Officer Oberndorfer stopped firing when he realized Hober was no longer an immediate threat. Officer Oberndorfer began giving verbal commands for Hober to get on the ground. Hober still refused to comply with his verbal commands, but Hober eventually fell to the ground. Officer Oberndorfer took the opportunity to handcuff Hober at that point. As other officers arrived, they began providing first aid, including CPR. Officer Oberndorfer did not have any further contact with Hober.

Lieutenant Hastings and I reviewed Oberndorfer's BWC and noted the video footage was consistent with Officer Oberndorfer's statement.

While processing the scene, a green box cutter was located in the area Officer Oberndorfer had been standing. The box cutter was broken, but did contain an exposed razor blade, as

Print Date 1/20/2016
Case # 15-037226
Victim: OBERNDORFER, Eric

well as a silver metallic thumb guard. When Doctor Wagner of the Medical Examiner's Office arrived, he examined Hober's body and found a through and through wound to the lower portion of both legs as well as the wound to the torso.

Detectives Maggi and Clendenen interview the reporting party, [REDACTED] essentially told them Hober had been calmly sitting in front of the store before becoming agitated - yelling and screaming. At one point [REDACTED] asked Hober to leave. Hober became increasingly agitated and pulled out a box cutter. Hober chased [REDACTED] back into the store, but Hober did not enter the store. [REDACTED] called 9-1-1. When the officer arrived, Hober got up and advanced on the officer while holding the box cutter. The officer fired three shots before Hober stumbled back toward the store. Other officers arrived and handcuffed Hober. [REDACTED] could hear the officer giving Hober commands similar to "stop" before the shots were fired.

Detectives Maggi and Clendenen also interviewed [REDACTED] who was inside the store at the time of the incident. [REDACTED] did not see the shooting.

Detective Jose interviewed [REDACTED] who was chased back into the store. [REDACTED] said he had gone outside because Hober was agitated and yelling. As he walked out and asked Hober what was happening, he could see Hober grab a box cutter in his hand. [REDACTED] noticed Hober manipulating the box cutter as if he was trying to expose the blade. [REDACTED] retreated into the store for safety. [REDACTED] did not actually see the shooting, but he could hear the officer giving Hober verbal commands and Hober yelling at the officer prior to the shots being fired.

Detective Jose was able to obtain a copy of the surveillance footage from the CVS. He checked several other businesses, but located no other footage. Some of the stores in the adjacent portions of the shopping center were not open for business and the employees have not yet been contacted, although it is unlikely they will have cameras covering the scene. Team III will follow-up with those businesses.

Captain Nisleit, Lieutenant Hastings, Lieutenant Holden and I met with Hober's [REDACTED] at his residence to do the death notification.

On Wednesday, October 14, 2015, Captain Nisleit, Lt. Hastings, and Sgt. Dobbs met with a representative of the [REDACTED]. He was shown the BWC of the incident so the [REDACTED] could verify what they were being told was indeed the truth.



THE CITY OF SAN DIEGO

San Diego Police Department

FOR IMMEDIATE RELEASE

Date: August 28, 2015 (Friday)

Time: 0800 Hours

CONTACT: Lieutenant Mike Hastings
Homicide Unit

SAN DIEGO POLICE INVESTIGATE OFFICER-INVOLVED SHOOTING IN THE MISSION VALLEY EAST COMMUNITY

On Friday, August 28, 2015, at about 12:11 a.m., uniformed San Diego Police Officers responded to a 911 call of a male with a box cutter threatening people in the 5600 block of Mission Center Road. The reporting party said the suspect was yelling and had chased and threatened [REDACTED] of a nearby store.

An officer, who was a short distance away, arrived at the scene and began to check the area for the suspect. The officer saw a person matching the suspect's description and saw he was holding a box cutter in his hand. The officer exited his patrol vehicle and gave the suspect verbal commands. The suspect ignored those commands and quickly advanced on the officer, while holding the blade pointed at the officer. The officer retreated to the rear of his police vehicle to create distance while continuing to give verbal commands. The suspect continued to advance resulting in an officer-involved shooting. Medical aid was immediately rendered, but the suspect was pronounced deceased at the scene.

The decedent is a male in his 50's and was identified, but his name is being withheld pending family notifications.

The officer is a 15-year veteran of the San Diego Police Department.

Anyone with information regarding this incident is asked to call the Homicide Unit at [REDACTED] or Crime Stoppers at [REDACTED]

...

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)
TIME (occurrence): 0016 Hours
LOCATION: 5644 Mission Center Road
SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBER, Robert Arthur W/M (54) 09/20/60

Case Synopsis:

On August 28, 2015, at 0022 hours, I was notified by Lieutenant Mike Hastings that Homicide Team III was being assigned to investigate an officer involved shooting at 5644 Mission Center Road. I notified the other members of Team III (Detectives Newquist, Jose, Maggi and Clendenen-relief) and CSS Jennifer Sanders. We assembled at the scene and were briefed by Sergeant Art Swadener at 0145 hours.

Sergeant Swadener told us communications received a call at 0011 hours on August 28, 2015 from [REDACTED] at the CVS located at 5644 Mission Center Road. [REDACTED] said a male had chased [REDACTED] into the store. [REDACTED] said the male was armed with a box cutter and was now possibly seated in front of the store at a table. At one point the male lit something on fire (Sergeant Swadener mentioned a previous 1171 incident they did not believe was related to this incident (Inc# 15080049276). [REDACTED] described the male to the dispatcher as; a white male, 55 years-old, 6 feet tall, wearing a black shirt and jeans.

Officer Eric Oberndorfer #5672 was dispatched to the call, along with other officers. Officer Oberndorfer was the first to arrive on scene at 0016 hours. As Officer Oberndorfer was driving through the strip mall, he did not initially see the suspect (Later identified as Robert Hober) sitting at the table in front of the CVS. Officer Oberndorfer's view of the table and suspect was obscured by a large stucco pillar. When Hober saw Officer Oberndorfer, he stood up as Officer Oberndorfer stopped his car to get out. Hober immediately began yelling at Officer Oberndorfer. Hober pulled out a box cutter and began advancing on Officer Oberndorfer. Officer Oberndorfer gave verbal commands to Hober, directing him to drop the weapon. Hober refused to drop the weapon and began advancing on Officer Oberndorfer. Officer Oberndorfer fired his handgun twice, with both rounds striking Hober. One round struck Hober in the chest, just below the left nipple. The second round struck Hober in the right knee. Hober eventually fell to the ground, where Officer Oberndorfer handcuffed him. Other officers arrived and began providing first aid, eventually performing CPR until relieved by medics (Engine 45 and Medic 36). Hober was pronounced deceased at the scene by Doctor Deaver from Mercy Hospital at 0034 hours.

At the conclusion of the briefing, I directed Detectives Newquist and Kellner to process the scene, along with CSS Sanders and Criminalist Hemmerling. I directed Detectives Maggi, Jose and Clendenen to contact the witnesses and attempt to secure any surveillance video footage.

Officer Oberndorfer, Peer Support Sergeant Nick Nguyen and POA Attorney Rick Pinkard returned to the scene and conducted a walk through. Officer Oberndorfer, Sergeant Nguyen and Attorney Pinkard then met with Lieutenant Hastings and me at headquarters for the interview. During the interview, Sergeant Nguyen transported Officer Oberndorfer's Body Worn Camera to Central Division where it was docked and downloaded. Sergeant Nguyen later returned, with the BWC, to the Homicide Office.

Lieutenant Hastings and I interviewed Officer Oberndorfer in the presence of Attorney Rick Pinkard. Also present for the interview was Lieutenant Mike Holden. The following is a brief synopsis of what Officer Oberndorfer told us. The interview was digitally recorded and can be referred to (Along with the transcription of the interview) for further details. Officer Oberndorfer reviewed his BWC footage prior to our interview.

Officer Oberndorfer responded to a call of a male at the CVS Pharmacy threatening [REDACTED] with a box cutter. The male was described as a white male wearing a black shirt. The male was supposed to be sitting at a table in front of the store. As Officer Oberndorfer was driving through the lot, he did not see any tables in front of the CVS. As he neared the front doors of the CVS, he could see a table that had been blocked by a large pillar. Officer Oberndorfer saw a male sitting at the table and noticed he matched the description from the radio call. The area was well lit and he did not have any difficulty seeing. As Officer Oberndorfer was stopping his car to get out, the male (Later identified as Robert Hober) quickly stood up and began yelling unintelligibly at Officer Oberndorfer. Hober pulled out a box cutter and held it in what he described as a "threatening manner". Officer Oberndorfer drew his weapon and began giving Hober verbal commands to drop the weapon and stop. As Officer Oberndorfer was giving Hober verbal commands, Officer Oberndorfer backed up several steps in order to gain time and distance, affording Hober the opportunity to surrender. Hober raised the box cutter in his right hand, over his head, and appeared as if he was going to throw it at Officer Oberndorfer. Officer Oberndorfer could see the blade of the box cutter reflecting the surrounding lights. Officer Oberndorfer feared he would be seriously injured by the box cutter if it were thrown, so he decided to fire his weapon to protect himself. As Officer Oberndorfer fired his weapon, Hober threw the box cutter at him. The box cutter landed at Officer Oberndorfer's feet. Officer Oberndorfer stopped firing when he realized Hober was no longer an immediate threat. Officer Oberndorfer began giving verbal commands for Hober to get on the ground. Hober still refused to comply with his verbal commands, but Hober eventually fell to the ground. Officer Oberndorfer took the opportunity to handcuff Hober at that point. As other officers arrived, they began providing first aid, including CPR. Officer Oberndorfer did not have any further contact with Hober.

Lieutenant Hastings and I reviewed Oberndorfer's BWC and noted the video footage was consistent with Officer Oberndorfer's statement.

While processing the scene, a green box cutter was located in the area Officer Oberndorfer had been standing. The box cutter was broken, but did contain an exposed razor blade, as well as a silver metallic thumb guard. When Doctor Wagner of the Medical Examiner's Office arrived, he examined Hober's

body and found a through-and-through wound to the lower portion of both legs as well as the wound to the torso.

Detectives Maggi and Clendenen interviewed the reporting party, [REDACTED] essentially told them Hober had been calmly sitting in front of the store before becoming agitated - yelling and screaming. At one point [REDACTED] asked Hober to leave. Hober became increasingly agitated and pulled out a box cutter. Hober chased [REDACTED] back into the store, but Hober did not enter the store. [REDACTED] called 9-1-1. When the officer arrived, Hober got up and advanced on the officer while holding the box cutter. The officer fired three shots before Hober stumbled back toward the store. Other officers arrived and handcuffed Hober. [REDACTED] could hear the officer giving Hober commands similar to "stop" before the shots were fired.

Detectives Maggi and Clendenen also interviewed [REDACTED] who was inside the store at the time of the incident. [REDACTED] did not see the shooting.

Detective Jose interviewed [REDACTED] who was chased back into the store. [REDACTED] said he had gone outside because Hober was agitated and yelling. As he walked out and asked Hober what was happening, he could see Hober grab a box cutter in his hand. [REDACTED] noticed Hober manipulating the box cutter as if he was trying to expose the blade. [REDACTED] retreated into the store for safety. [REDACTED] did not actually see the shooting, but he could hear the officer giving Hober verbal commands and Hober yelling at the officer prior to the shots being fired.

Detective Jose was able to obtain a copy of the surveillance footage from the CVS. He checked several other businesses, but located no other footage. Some of the stores in the adjacent portions of the shopping center were not open for business and the employees have not yet been contacted, although it is unlikely they will have cameras covering the scene. Team III will follow-up with those businesses.

Captain Nisleit, Lieutenant Hastings, Lieutenant Holden and I met with Hober's [REDACTED] at his residence to do the death notification.

Doctor Wagner of the M.E.'s Office conducted the autopsy and determined the cause of death was a penetrating gunshot wound to the abdomen, perforating the pancreas.

Detective Maggi talked to the reporting party of the previously noted 1171 incident. [REDACTED] could not identify Hober as the person involved. Detective Maggi will be following up with security to obtain surveillance image.

Reporting Detective Sergeant Matt Dobbs I.D. 5228 Homicide Team: III
Approved by: _____ Date of this report: _____ Time: _____

San Diego Police Department: Case Cancellation

Type of

981000
ZZ

Crime/Incident

Case #

15037226

Victim

Oberndorfer, Eric

Case Part of Series

☐

Occurrence Date

08/28/2015

(Leave blank if no series)

Type of Cancellation

Exceptional: Other (such as subject is dead)

Additional Arrests

☐

Disposition

Charge Level

Persons Arrested

Last

First

Middle

Date

Booking Number

Detective Arrest

☐

Patrol Arrest

☐

Charged

☐

Not Charged

☐

Property Recovered

None

☐

Partial

☐

Value Recovered

Full

☐

Was ARJIS-4 Completed

Yes

☐

No

☐

Investigator:

Date

Approved By:

Date

5228 -Dobbs, Matthew
W

01/13/2016

5228 - Dobbs, Matthew

01/20/2016

List Additional Cases to Be Cancelled:

Narrative:

This investigation relates to a fatal officer involved shooting. Refer to Team III for details.

**SAN DIEGO POLICE DEPARTMENT
OFFICER INVOLVED INCIDENT**

Case Review

DATE (occurrence): _____

TIME (occurrence): _____

LOCATION: _____

SUBJECT: _____

INJURED/DECEASED: _____

OIS/Special Investigation –SDPD Case #15-037226
245(a)(1) PC – SDPD Case #15-037227
Incident #15080049480
DATE/TIME: August 28, 2015 @ 0016 Hours
LOCATION: 5644 Mission Center Road
OFFICER: OBERNDORFER, Eric #5672
SUSPECT: HOBER, Robert, W/M (54) DOB: 09-20-60
HOMICIDE TEAM #3: Lt. M. HASTINGS; Sgt. M. DOBBS;
Dets: B. KELLNER (Scene), R. NEWQUIST, L. MAGGI &
T. CLENDENEN (Relief); CSS: J. SANDERS, Criminalists
T. HEMMERLING, L. WILSON

OFFICER(S): _____

REVIEWED BY:

Sgt. [Redacted] #5228
Sergeant, Homicide Section
A/Lt [Redacted] #5041
Lieutenant, Homicide Section
[Redacted]
Captain, Investigations II
[Redacted] ACTING ASST CHIEF
Assistant Chief, Centralized Investigations

12/09/15
Date
01/11/2016
Date
1-13-16
Date
1-13-16
Date

15-037226

**SDPD RECORDS
FILE CHECK-OUT**

CASE # 15-037226

FILE CHECK-OUT DATE 07/26/16

FILE CHECKED OUT TO: NAME GREG FLOOD

UNIT HOMICIDE

RECORDS CLERK-NAME/ID# 8269

FILE RETURN DATE 8-4-16

INC # 15-080049480

INFORMATION

PROPERTY

ADAMS

ARJIS-2 (REV. 5-94)

RACE CODE LEGEND: A= OTHER ASIAN, B= BLACK, C= CHINESE, D= CAMBODIAN, E= FILIPINO, F= GUAMANIAN, G= HISPANIC, H= INDIAN, I= JAPANESE, J= KOREAN, K= LAOTIAN, L= OTHER, M= PACIFIC ISLANDER, N= SAMOAN, O= VIETNAMESE, P= HAWAIIAN, Q= ASIAN, R= BHOIAN, S= WHITE

CASE # 15-037226

ARRESTED SUSPECT #1 (LAST, FIRST, MIDDLE) **HOBER, ROBERT ARTHUR** NICKNAME/AKA **W M** RACE **W** SEX **M** AGE **54** DOB **9-25-60** HT. **6-2** WT. **240** BUILD **THIN** HAIR COLOR **BKN** EYE COLOR **BLU**

SUSPECT'S ADDRESS **UNKNOWN** CITY STATE ZIP PHONE ID TYPE **SSN** ID NUMBER

ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E., GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)

SUSPECT'S CLOTHING

BLACK T-SHIRT / JEANS

ARRESTED SUSPECT #2 (LAST, FIRST, MIDDLE) NICKNAME/AKA RACE SEX AGE DOB HT. WT. BUILD HAIR COLOR EYE COLOR

SUSPECT'S ADDRESS CITY STATE ZIP PHONE ID TYPE ID NUMBER

ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E., GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)

SUSPECT'S CLOTHING

HAIR LGTH/TYPE		HAIR STYLE		FACIAL HAIR		COMPLEXION		GENERAL APPEARANCE		DEMEANOR		SPEECH		VOICE	
1	SUSPECT 2	1	SUSPECT 2	1	SUSPECT 2	1	SUSPECT 2	1	SUSPECT 2	1	SUSPECT 2	1	SUSPECT 2	1	SUSPECT 2
0 UNKNOWN	0	0 UNKNOWN	0	0 UNKNOWN	0	0 UNKNOWN	0	0 UNKNOWN	0	0 UNKNOWN	0	0 UNKNOWN	0	0 UNKNOWN	0
1 BALD	1	1 AFRONAT.	1	1 CLEAN SHAVE	1	1 ACNE	1	1 CASUAL	1	1 ANGRY	1	1 ACCENT	1	1 DISGUISED	1
2 COLLAR	2	2 BRAIDED	2	2 FULL BEARD	2	2 DARK	2	2 DIRTY	2	2 APOLOGETIC	2	2 LISPS	2	2 HIGH PITCH	2
3 LONG	3	3 BUSHY	3	3 FU MANCHU	3	3 FRECKLED	3	3 DISGUISE	3	3 CALM	3	3 STUMBLER	3	3 LOUD	3
4 NECK	4	4 GREASY	4	4 GOATEE	4	4 LIGHT	4	4 FLASHY	4	4 DISORGANIZED	4	4 OFFENSIVE	4	4 LOW PITCH	4
5 SHORT	5	5 MILITARY	5	5 LOWER LIP	5	5 MEDIUM	5	5 GOOD-LOOKING	5	5 IRRATIONAL	5	5 QUIET	5	5 MEDIUM	5
6 SHOULDER	6	6 PONYTAIL	6	6 MUSTACHE	6	6 PALE	6	6 MILITARY	6	6 NERVOUS	6	6 RAPID	6	6 MONOTONE	6
7 COARSE	7	7 PROCESSED	7	7 NONE/FUZZ	7	7 POKED	7	7 UNKEMPT	7	7 POLITE	7	7 SLOW	7	7 NASAL	7
8 FINE	8	8 STRAIGHT	8	8 SIDEBURNS	8	8 RUDDY	8	8 UNUSUAL ODOR	8	8 PROFESSIONAL	8	8 STUTTERS	8	8 PLEASANT	8
9 THICK	9	9 WAVY/CURLY	9	9 UNSHAVEN	9	9 SALLOW	9	9 WELL GROOMED	9	9 STUPOR	9	9 TALKATIVE	9	9 RASPY	9
10 THINNING	10	10 WIG	10	10 VAN DYKE	10	10 TANNED	10	10 OTHER	10	10 VIOLENT	10	10 OTHER	10	10 SOFT	10
11 WHIRLY	11	11 OTHER	11	11 OTHER	11	11 OTHER	11	11 OTHER	11	11 OTHER	11	11 OTHER	11	11 OTHER	11

SUSPECT VEHICLE YEAR MAKE MODEL COLOR / COLOR TYPE LICENSE NO. LIC STATE

ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.)

VEHICLE IMPOUND TOWING COMPANY

EVIDENCE OBTAINED: 0 NONE, 1 FINGERPRINTS, 2 OTHER PRINTS, 3 WEAPON/TOOLS, 4 VEHICLE, 5 PHOTOS, 6 HAIR, 7 STAINS, 8 BLOOD/SEMIEN, 9 OTHER

DISPOSITION OF EVIDENCE TAG NOS. ADD'L PERSONS LISTED WITNESS CHECK

ADDITIONAL OFFENSES:

HEADINGS: CRIME DESCRIPTION; VICTIM(S) STATEMENT; OFFICER'S STATEMENT / INVESTIGATION; EVIDENCE/DISPOSITION; WITNESS STATEMENT / WITNESS CHECKS; INJURIES / PROPERTY DAMAGE

SEE INVESTIGATION FOR FURTHER DETAILS

officer assault: **OAK ZZ**

One-Officer Vehicle, Two-Officer Vehicle, Detective or Special Assignment, Alone, Assisted, Number Officers with personal injury, Number Officers without personal injury

Activity when assault occurred:

415, 459, 211, OTHER ARREST, CIVIL DISORDER, SUSP CIR / PERSON, TRANSPORTING, TRAFFIC STOP, PURSUIT, AMBUSH, 5150, ALL OTHER

ARSON TYPE: A SINGLE RESIDENTIAL, B OTHER RESIDENTIAL, C STORAGE, D INDUSTRIAL/MANUFACTURING, E OTHER COMMERCIAL, F COMMUNITY/PUBLIC, G ALL OTHER STRUCTURE, H MOTOR VEHICLES, I OTHER MOBILE PROPERTY, J CROPS, TIMBER, FENCES, SIGNS, ETC.

DESCRIPTION: CONTENT LOSS \$, STRUCT LOSS \$, ABANDONED, CONTINUED

SAN DIEGO REGIONAL CRIME / INCIDENT REPORT

INC # 15-080049430

CRIME	RELATED REPORTS <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	ADDN'L. PROPERTY <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	ADDN'L. OFFENSES LISTED IN NARR. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	PAGE 1 OF 2	CASE NUMBER 15037227
	CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) 245(C) PC - ASSAULT Peace Off.				MONTH 08
VICTIM	LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CENTER ROAD, SAN DIEGO			DAY 28	YEAR 2015
	CITY SAN DIEGO			BEAT 315	DISTRICT 0010

SP <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	W-TYPE DC	VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) [REDACTED]	RESIDENCE ADDRESS [REDACTED]	CITY [REDACTED]	STATE [REDACTED]	ZIP [REDACTED]
RESIDENCE PHONE [REDACTED]		SEE RACE CODE LEGEND ON TOP OF BACK PAGE		ID TYPE [REDACTED]		ID NUMBER [REDACTED]
STATUS [REDACTED]		EMPLOYER (RANK IF MILITARY) [REDACTED]		BUSINESS OR MILITARY ADDRESS [REDACTED]		CITY [REDACTED]

SP <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	W-TYPE DC	VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) OFFICER E. OBERNDORFER	RESIDENCE ADDRESS [REDACTED]	CITY [REDACTED]	STATE [REDACTED]	ZIP [REDACTED]
RESIDENCE PHONE [REDACTED]		RACE W		SEX M	DATE OF BIRTH [REDACTED]	
STATUS E		EMPLOYER (RANK IF MILITARY) SAN DIEGO POLICE DEPT.		BUSINESS OR MILITARY ADDRESS EASTERN DIVISION		CITY [REDACTED]

TOTAL # OF WITNESSES AT CRIME: 1	WITNESS TYPE: 01 ARRESTING OFFICER 12 OTHER EXPERT	06 OTHER LAY WITNESS 13 INVESTIGATOR	07 NARC CHEMIST 16 OTHER POLICE	STATUS E EMPLOYED S STUDENT U UNEMPLOYED N NON-SALARIED WORKER
PLACE OF ATTACK: <input checked="" type="checkbox"/> 1 Structure <input type="checkbox"/> 2 Vehicle <input type="checkbox"/> 3 Street/Alley <input type="checkbox"/> 4 Lot/Park/Yard <input type="checkbox"/> 5 VESSELS <input type="checkbox"/> 6 Other				
DESCRIPTION OF SURROUNDING AREA: <input type="checkbox"/> 1 Residential <input checked="" type="checkbox"/> 2 Business <input type="checkbox"/> 3 Industrial/Mfg. <input type="checkbox"/> 4 Recreational <input type="checkbox"/> 5 Institutional <input type="checkbox"/> 6 Open Space <input type="checkbox"/> 7 School <input type="checkbox"/> 8 Marina/Water <input type="checkbox"/> 9 Other				
FORCE TOOL WEAPON <input checked="" type="checkbox"/> F <input type="checkbox"/> T <input type="checkbox"/> W		SPECIFY: EXCUTTER		HOW USED: THREATEN

TYPE OF STRUCTURE <input checked="" type="checkbox"/> 1 N/A <input type="checkbox"/> 2 BANK/S&L/CU <input type="checkbox"/> 3 BUSINESS OFFICE <input type="checkbox"/> 4 COMMERCIAL VEHICLE <input type="checkbox"/> 5 CONVENIENCE <input type="checkbox"/> 6 DEPT <input type="checkbox"/> 7 DRUG/MEDICAL <input type="checkbox"/> 8 ENTERTAIN/RECREATION <input type="checkbox"/> 9 FAST FOOD <input type="checkbox"/> 10 FINANCE COMPANY <input type="checkbox"/> 11 GAS/SERV. STA. <input type="checkbox"/> 12 HOTEL/MOTEL <input type="checkbox"/> 13 JEWELRY/COIN/PAWN <input type="checkbox"/> 14 LIQUOR <input type="checkbox"/> 15 MFG/CONSTRUCTION <input type="checkbox"/> 16 PUBLIC BLDG. <input type="checkbox"/> 17 RESTAURANT/BAR <input type="checkbox"/> 18 RETAIL GOODS <input type="checkbox"/> 19 SCHOOL <input type="checkbox"/> 20 SERVICES <input type="checkbox"/> 21 SUPERMARKET <input type="checkbox"/> 22 WHOLESALE	RESIDENTIAL <input type="checkbox"/> 1 APT/CONDO <input type="checkbox"/> 2 DUPLEX/TOWNHNS <input type="checkbox"/> 3 HOTEL/MOTEL <input type="checkbox"/> 4 HOUSEBOAT <input type="checkbox"/> 5 SINGLE DETACH <input type="checkbox"/> 6 TRAILER TARGET(S) <input type="checkbox"/> 1 ATTIC <input type="checkbox"/> 2 BATHROOM <input type="checkbox"/> 3 BEDROOM <input type="checkbox"/> 4 COIN OP MACH <input type="checkbox"/> 5 DEN <input type="checkbox"/> 6 ENTIRE HOUSE <input type="checkbox"/> 7 FAMILY ROOM <input type="checkbox"/> 8 GARAGE <input type="checkbox"/> 9 KITCHEN <input type="checkbox"/> 10 LIVING ROOM <input type="checkbox"/> 11 PERSON <input type="checkbox"/> 12 STORAGE AREA <input type="checkbox"/> 13	POINT OF ENTRY <input checked="" type="checkbox"/> 1 N/A <input type="checkbox"/> 2 UNKNOWN <input type="checkbox"/> 3 FRONT <input type="checkbox"/> 4 GARAGE <input type="checkbox"/> 5 REAR <input type="checkbox"/> 6 SIDE <input type="checkbox"/> 7 GROUND LEVEL <input type="checkbox"/> 8 UPPER LEVEL <input type="checkbox"/> 9 DOOR <input type="checkbox"/> 10 DUCT/VENT <input type="checkbox"/> 11 ROOF/FLOOR <input type="checkbox"/> 12 TRUNK/HOOD <input type="checkbox"/> 13 WALL <input type="checkbox"/> 14 WINDOW	SECURITY USED <input checked="" type="checkbox"/> 1 N/A <input type="checkbox"/> 2 ALARM <input type="checkbox"/> 3 BARS/GHATE <input type="checkbox"/> 4 DOG <input type="checkbox"/> 5 EXT LIGHTS <input type="checkbox"/> 6 GUARO <input type="checkbox"/> 7 INT LIGHTS <input type="checkbox"/> 8 LOCKED DOORS <input type="checkbox"/> 9 LOCKED WINDOWS <input type="checkbox"/> 10 NEIGHBOR/WATCH <input type="checkbox"/> 11 OPERATION ID <input type="checkbox"/> 12 PHOTO/CAMERA <input type="checkbox"/> 13 SECURITY FENCE <input type="checkbox"/> 14 WEAPON	SUSPECT ACTIONS <input type="checkbox"/> 21 HIDEOUT TECHNIQUE <input type="checkbox"/> 22 INFLECTED INJURY <input type="checkbox"/> 23 OFFERED ASSISTANCE <input type="checkbox"/> 24 OFFERED DRUGS <input type="checkbox"/> 25 OFFERED GAMBLING <input type="checkbox"/> 26 OFFERED SEX <input type="checkbox"/> 27 OTHER SEX ACTS <input type="checkbox"/> 28 PICKED POCKET <input type="checkbox"/> 29 PREPARED EXIT <input type="checkbox"/> 30 PURSE SNATCH <input type="checkbox"/> 31 PUSHED/SHOVED VICTIM <input type="checkbox"/> 32 PUT CASH IN BAG/PURSE <input type="checkbox"/> 33 RANSACKED <input type="checkbox"/> 34 RAPE <input type="checkbox"/> 35 SHOPLIFTED <input type="checkbox"/> 36 SMOKED ON PREMISES <input type="checkbox"/> 37 TAMPER WITH VEHICLE <input type="checkbox"/> 38 THREATENED RETALTN. <input type="checkbox"/> 39 TOOK ANIMALS <input type="checkbox"/> 40 TOOK CASH FROM <input type="checkbox"/> 41 REGISTER PERSONALLY <input type="checkbox"/> 42 TOOK ONLY JEWELRY <input type="checkbox"/> 43 TOOK ONLY MONEY <input type="checkbox"/> 44 TOOK ONLY TOOLS <input type="checkbox"/> 45 TOOK ONLY TV/STEREO/CAMERA <input type="checkbox"/> 46 TOOK PROPERTY FROM PERSON <input type="checkbox"/> 47 TOOK PROPERTY FROM VEHICLE <input type="checkbox"/> 48 TOOK VEH. PTS/ACCES <input type="checkbox"/> 49 TOOK VICTIM'S VEHICLE <input type="checkbox"/> 50 USED ODMAND NOTE <input type="checkbox"/> 51 USED LEFT HAND <input type="checkbox"/> 52 USED LOOKOUT <input type="checkbox"/> 53 USED MATCHES <input type="checkbox"/> 54 USED PHONE <input type="checkbox"/> 55 USED RIGHT HANO <input type="checkbox"/> 56 USED STOLEN VEHICLE <input type="checkbox"/> 57 USED THREATS <input type="checkbox"/> 58 USED VICTIM'S TOOL <input type="checkbox"/> 59 VANDALIZED <input type="checkbox"/> 60 VEHICLE NEEDED TO REMOVE PROPERTY <input type="checkbox"/> 61 OTHER <input checked="" type="checkbox"/> 62 THREATEN
--	---	--	--	---

ITEM NO.	ARTICLE NAME	STOLEN REC'D	IDENTIFICATION NUMBERS	BRAND, MAKE OR MANUFACTURER	MODEL NAME AND MODEL NUMBER	MISCELLANEOUS DESCRIPTION	VALUE
1							
2							
3							
4							

VICTIM INJURED: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	EXTENT OF TREATMENT: <input checked="" type="checkbox"/> NONE <input type="checkbox"/> TREATED <input type="checkbox"/> HOSPITAL <input type="checkbox"/> DEATH		SIC: <input checked="" type="checkbox"/> Y <input type="checkbox"/> A ADULT <input type="checkbox"/> J JUVENILE <input type="checkbox"/> N NO-PROBABLY IS <input type="checkbox"/> A <input type="checkbox"/> J <input type="checkbox"/> ?	
REPORTING OFFICER H. JOSE	I.D.# 4217	DIVISION INV 2-HRM	APPROVED BY [REDACTED]	I.D.# [REDACTED]
DATE AND TIME OF REPORT MO. 08 DAY 28 YEAR 15 TIME 0500		CASE STATUS [REDACTED]	AGENCY S.D.P.D.	
		CRIME TYPE 245(c) PC		

PAGE 2 OF 2		RACE CODE LEGEND A=OTHER ASIAN B=BLACK C=CHINESE D=CAMBODIAN E=FILIPINO F=GUAMANIAN G=HISPANIC H=INDIAN I=JAPANESE J=KOREAN K=LAOTIAN L=LAOTIAN M=OTHER N=PACIFIC ISLANDER O=VIETNAMESE P=ASIAN Z=INDIAN										CASE # 15-037227											
ARRESTED SUSPECT #1 (LAST, FIRST, MIDDLE) HOBBS, ROBERT ARTHUR		NICKNAME/AKA		RACE W		SEX M		AGE 54		DOB 9-20-60		HT. 6-2		WT. 240		BUILD THIN		HAIR COLOR BRN		EYE COLOR H2L			
SUSPECT'S ADDRESS UNKNOWN		CITY		STATE		ZIP		PHONE		ID TYPE S ON		ID NUMBER											
ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E., GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)																							
SUSPECT'S CLOTHING BLACK T-SHIRT / JEANS																							
ARRESTED SUSPECT #2 (LAST, FIRST, MIDDLE)		NICKNAME/AKA		RACE		SEX		AGE		DOB		HT.		WT.		BUILD		HAIR COLOR		EYE COLOR			
SUSPECT'S ADDRESS		CITY		STATE		ZIP		PHONE		ID TYPE		ID NUMBER											
ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E., GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)																							
SUSPECT'S CLOTHING																							
SUSPECT (S)																							
HAIR LGTH/TYPE		HAIR STYLE		FACIAL HAIR		COMPLEXION		GENERAL APPEARANCE		DEMEANOR		SPEECH		VOICE									
1 SUSPECT 2		1 SUSPECT 2		1 SUSPECT 2		1 SUSPECT 2		1 SUSPECT 2		1 SUSPECT 2		1 SUSPECT 2		1 SUSPECT 2		1 SUSPECT 2							
0 UNKNOWN 1 BALD 2 COLLAR 3 LONG 4 NECK 5 SHORT 6 SHOULDER 7 COARSE 8 FINE 9 THICK 10 THINNING 11 WIRY 12 OTHER		0 UNKNOWN 1 AFRO/NAT. 2 BRAIDED 3 BUSHY 4 GREASY 5 MILITARY 6 PONYTAIL 7 PROCESSED 8 STRAIGHT 9 WAVY/CURLY 10 WIG 11 OTHER		0 UNKNOWN 1 CLEAN SHAVE 2 FULL BEARD 3 FU MANCHU 4 GOATEE 5 LOWER LIP 6 MUSTACHE 7 NONE/FUZZ 8 SIDEBURNS 9 UNSHAVEN 10 VAN DYKE 11 OTHER		0 UNKNOWN 1 ACNE 2 DARK 3 FRECKLED 4 LIGHT 5 MEDIUM 6 PALE 7 POCKED 8 RUDDY 9 SALLOW 10 TANNEO 11 OTHER		0 UNKNOWN 1 CASUAL 2 DIRTY 3 DISGUISE 4 FLASHY 5 GOOD-LOOKING 6 MILITARY 7 UNKEPT 8 UNUSUAL ODOR 9 WELL ODDOMED 10 OTHER		0 UNKNOWN 1 ANGRY 2 APOLOGETIC 3 CALM 4 DISORGANIZED 5 IRRATIONAL 6 NERVOUS 7 POLITE 8 PROFESSIONAL 9 STUPOR 10 VIOLENT 11 OTHER		0 UNKNOWN 1 ACCENT 2 LISPS 3 MUMBLES 4 OFFENSIVE 5 QUIET 6 RAPID 7 SLOW 8 STUTTERS 9 TALKATIVE 10 OTHER		0 UNKNOWN 1 DISGUISED 2 HIGH PITCH 3 LOUD 4 LOW PITCH 5 MEDIUM 6 MONOTONE 7 NASAL 8 PLEASANT 9 RASPY 10 SOFT 11 OTHER									
SUSPECT VEHICLE		YEAR		MAKE		MODEL		COLOR / COLOR		TYPE		LICENSE NO.		LIC STATE									
ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.)		VEHICLE IMPOUND		TOWING COMPANY																			
EVIDENCE OBTAINED		0 NONE 1 BLOOD/SEMIEN 2 FINGERPRINTS 3 OTHER PRINTS 4 WEAPON/TOOLS 5 VEHICLE 6 PHOTOS 7 HAIR 8 STAINS		1 FINGERPRINTS 2 OTHER PRINTS 3 WEAPON/TOOLS 4 VEHICLE 5 PHOTOS 6 HAIR 7 STAINS		0 NONE 1 BLOOD/SEMIEN 2 FINGERPRINTS 3 OTHER PRINTS 4 WEAPON/TOOLS 5 VEHICLE 6 PHOTOS 7 HAIR 8 STAINS		1 FINGERPRINTS 2 OTHER PRINTS 3 WEAPON/TOOLS 4 VEHICLE 5 PHOTOS 6 HAIR 7 STAINS		0 NONE 1 BLOOD/SEMIEN 2 FINGERPRINTS 3 OTHER PRINTS 4 WEAPON/TOOLS 5 VEHICLE 6 PHOTOS 7 HAIR 8 STAINS		1 FINGERPRINTS 2 OTHER PRINTS 3 WEAPON/TOOLS 4 VEHICLE 5 PHOTOS 6 HAIR 7 STAINS		DISPOSITION OF EVIDENCE									
ADDITIONAL OFFENSES:		TAG NOS.		ADD'L PERSONS LISTED		WITNESS CHECK																	
HEADINGS: CRIME DESCRIPTION; VICTIM(S) STATEMENT; OFFICER'S STATEMENT / INVESTIGATION; EVIDENCE/DISPOSITION; WITNESS STATEMENT / WITNESS CHECKS; INJURIES / PROPERTY DAMAGE		SEE INVESTIGATION FOR DETAILS																					
NARRATIVE																							
officer assault: OAK ZZ		One-Officer Vehicle		Alone		Two-Officer Vehicle		Assisted		Number Officers with personal injury		Number Officers without personal injury		Activity when assault occurred:		415. SUSP CIR / PERSON 459. TRANSPORTING 211. TRAFFIC STOP OTHER ARREST. PURSUIT CIVIL DISORDER. AMBUSH							
ARSON TYPE: A SINGLE RESIDENTIAL B OTHER RESIDENTIAL C STORAGE D INDUSTRIAL/MANUFACTURING E OTHER COMMERCIAL F COMMUNITY/PUBLIC G ALL OTHER STRUCTURE H MOTOR VEHICLES I OTHER MOBILE PROPERTY J CROPS, TIMBER, FENCES, SIGNS, ETC.		DESCRIPTION:		CONTENT LOSS \$		STRUCT LOSS \$		ABANDONED		CONTINUED													

OIS Case #: 15-037227

Officer: Oberndorfer, Eric

Suspect: Hober, Robert

Date/Time: 8/28/15 @ 0016 Hrs

Location: 5644 Mission Center Road
San Diego, CA

Scene Investigator: Det. W Kellner, #5776

Approved by: *Sc. Dobas #528*

Prepared by: Leland Welsh, #0586

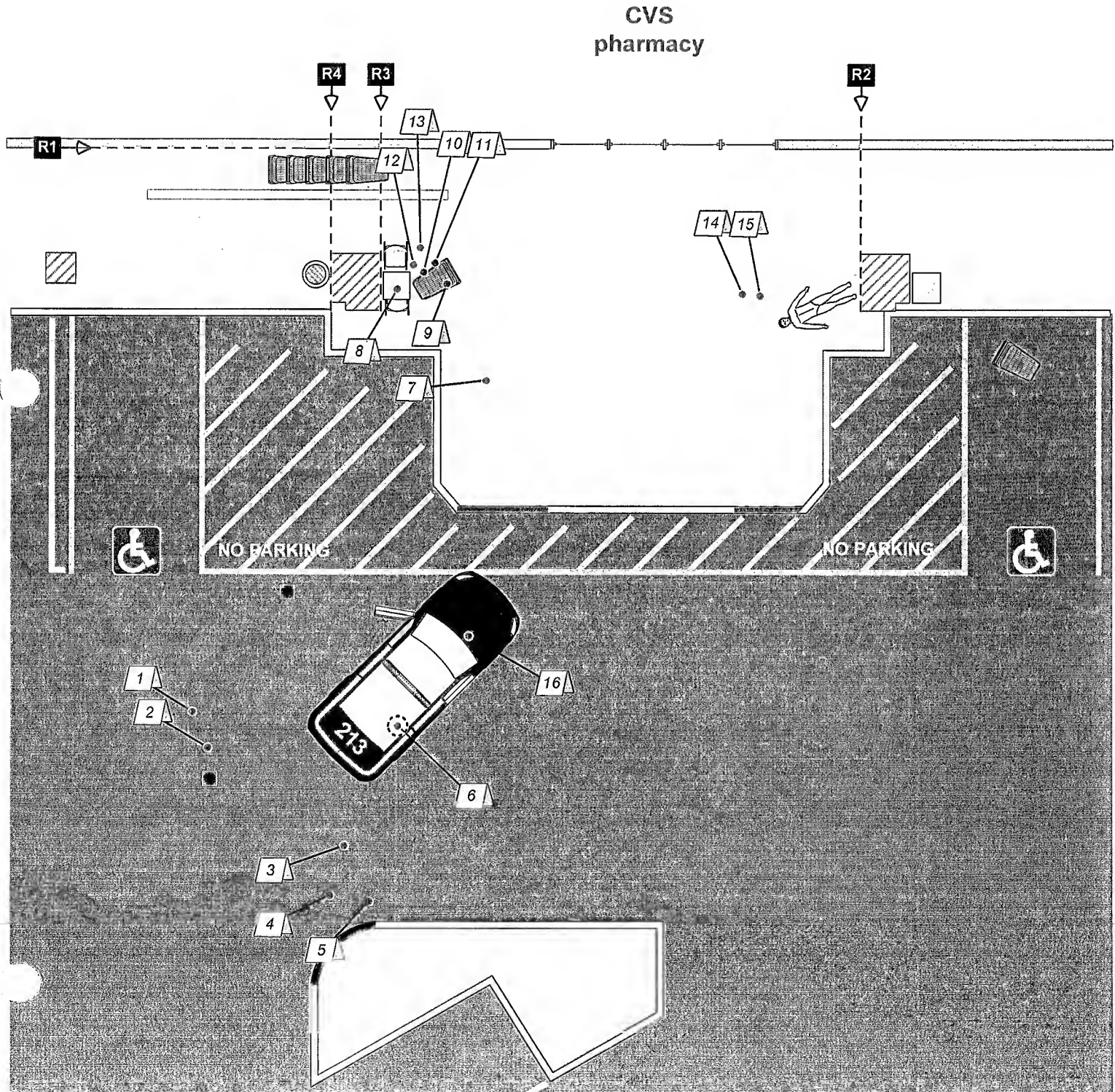


Not to Scale

Evidence Markers

- | | |
|--|------------------------|
| 1 Projectile | 9 Grocery cart, jacket |
| 2 Green box cutter | 10 Cap to wine bottle |
| 3 Broken bottle w/label | 11 Wine bottle opener |
| 4 Shell casing | 12 Flip-flop sandals |
| 5 Shell casing | 13 Two pieces of paper |
| 6 Part of broken bottle | 14 Wine bottle cork |
| 7 Plastic coffee cup lid | 15 Green pen |
| 8 Items from table: Coffee cup, wine bottle, lighters, receipt | 16 Deceased's wallet |

- Key:
- Evidence lying on surface
 - Evidence within/under object
 - Location of blood or DNA swab



**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)

TIME (occurrence): 0016 Hours

LOCATION: 5644 Mission Center Road

SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBER, Robert Arthur W/M (54) 09/20/60

Crime Scene Investigation:

On August 28, 2015, at approximately 0028 hours, I received a telephone call from Detective Sergeant Matt Dobbs from Homicide Team III. Sergeant Dobbs informed me there had been an officer involved shooting incident we were being assigned to investigate at 5644 Mission Center Road. I was instructed to meet with the other investigators from Homicide Team III at that location. The following people assembled at the scene and were briefed by Sergeant Art Swadener at 0145 hours: Assistant Chief T. Jarvis, Assistant Chief T. Mc Manus, Captain D. Nisleit, Captain B. Colon, Lieutenant M. Hastings, Lieutenant S. Behrendt, Lieutenant A. Brown, Lieutenant M. Holden, Lieutenant M. Novak, Sergeant M. Dobbs, Sergeant A. Swadener, Sergeant S. Holslag, Sergeant S. Waldheim, Sergeant E. Zwibel, Acting Sergeant P. Heller, Investigator J.C Smith (DA's Office), Detective R. Newquist, Detective M. Jose, Detective L. Maggi, Detective T. Clendenen, Officer A. Fiorillo and Officer D. Leach. The following is a summary of what Sergeant Swadener told us. I recorded the briefing for clarity and a copy of the recording can be reviewed for complete details.

Sergeant Swadener told us communications received a call at 0011 hours on August 28, 2015 from [REDACTED] at the CVS located at 5644 Mission Center Road. [REDACTED] said a male had chased [REDACTED] into the store. [REDACTED] said the male was armed with a box cutter and was now possibly seated in front of the store at a table. At one point the male lit something on fire (Sergeant Swadener mentioned a previous 1171 incident possibly related to this incident, Incident history #15080049276). [REDACTED] described the male as a white male, 55 years old, 6 feet tall, wearing a black shirt and jeans.

Officer Oberndorfer was the first to arrive on scene at 0016 hours. As Officer Oberndorfer was driving through the strip mall, he did not initially see the suspect (Later identified as Robert Hober) sitting at the table in front of the CVS. Officer Oberndorfer's view of the table and suspect was obscured by a large stucco pillar. When Hober saw Officer Oberndorfer, he stood up as Officer Oberndorfer stopped his car to get out. Hober immediately began yelling at Officer Oberndorfer. Hober pulled out a box cutter and began advancing on Officer Oberndorfer. Officer Oberndorfer gave verbal commands to Hober, directing him to drop the weapon. Hober refused to drop the weapon and began advancing on Officer Oberndorfer. Officer Oberndorfer fired his handgun twice, with both rounds striking Hober. One round struck Hober in the chest, just below the left nipple. The second round struck Hober in the right knee. Hober eventually fell to the ground and Officer Oberndorfer handcuffed him. Other officers arrived and began providing

first aid until relieved by medics (Engine 45 and Medic 36). Hober was pronounced deceased at the scene by Doctor Deaver from Mercy Hospital at 0034 hours.



Background:

Following the briefing, Detective Ron Newquist and I were assigned to conduct the crime scene investigation. Crime Scene Specialist Jennifer Sanders #8393, Criminalist Tess Hemmerling #8765 and Criminalist Reconstruction Trainee Lisa Wilson assisted us. CSS Sanders began to take overall photos of the crime scene and surrounding area at about 0220 hours.

Prior to being interviewed by Sergeant Dobbs, Officer Oberndorfer conducted a walk-through at the scene, describing his position in the parking lot during this incident. Captain Nisleit, Lieutenant Hastings, Lieutenant Novak, Lieutenant Holden, Sergeant Dobbs, Sergeant Waldheim, Detective Newquist, JC Smith (DA's Office), Criminalist Tess Hemmerling, Criminalist Reconstruction Trainee Lisa Wilson, CSS Jennifer Sanders, Rick Pinkard (POA Attorney), and I were present during the walk through. Officer Oberndorfer's statement was recorded and it began at approximately 0243 hours and ended at approximately 0246 hours (see attached audio disk for exact statement).



After viewing Oberndorfer's BWC, I estimate Hober was standing at this location upon Oberndorfer's arrival.

Officer Oberndorfer's marked patrol vehicle (#7213).

"No parking" painted in white.

Green box cutter held by Robert Hober on 08/28/15.

We walked closer to the crime scene and stopped about 10 feet west of the open driver's side door of Oberndorfer's patrol vehicle (Equipment #7213). The vehicle was still parked inside the crime scene and its front driver's side door, was open.

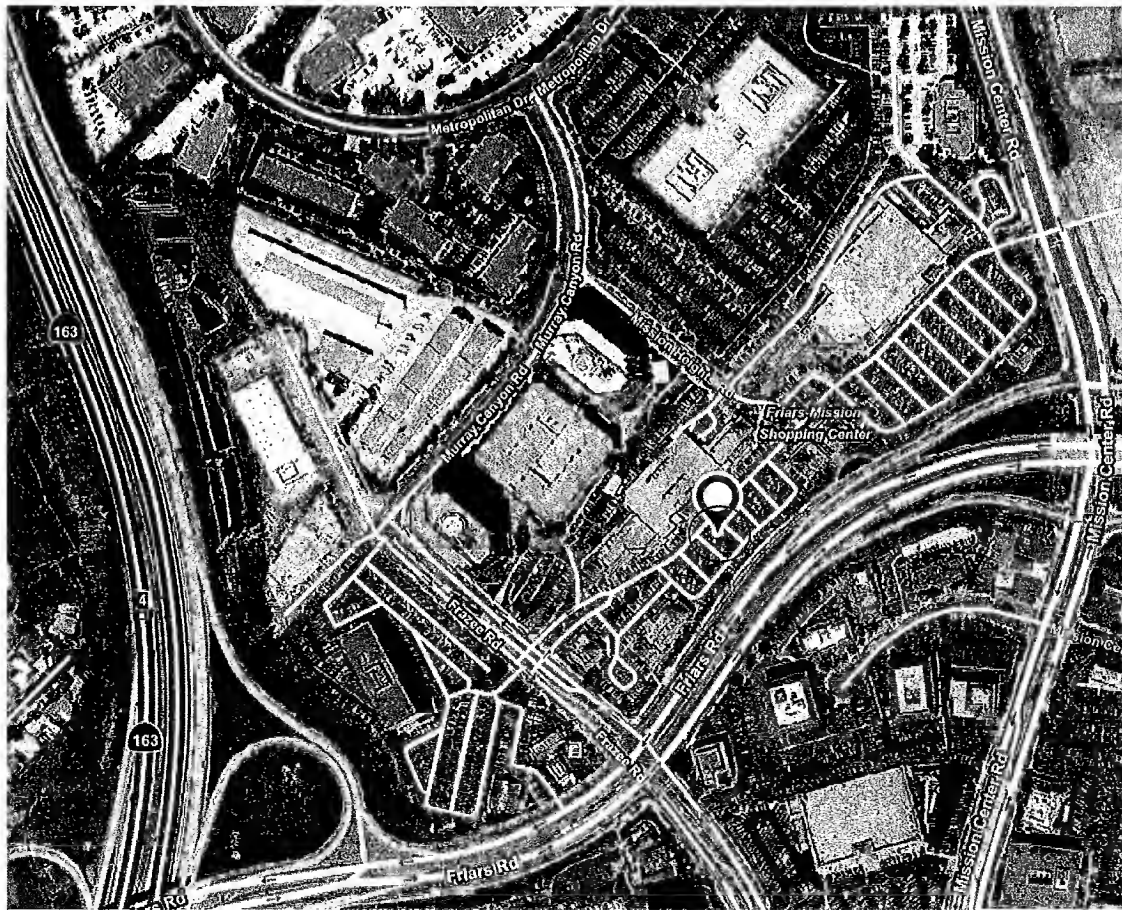
Officer Oberndorfer essentially said the following:

When I fired, I was standing almost where the box cutter is. The suspect, at the time I fired, was probably about where the white line is...or closer (Oberndorfer pointed to "No Parking" painted in white located a few feet west of his vehicle). Probably where it says "ING" and maybe towards me a little bit. That's the way I recall it. I fired two rounds in a north, north east direction. I shot in a two handed, standing position. My magazines were fully loaded and I had one round in the chamber. I have a Glock 21.

Scene Description:

The crime scene was located in the parking lot of 5644 Mission Center Road (Friars Mission Center Shopping Complex). The asphalt parking lot is an east to west thoroughfare situated between Frazee Road on the west and Mission Center Road on the east. The incident occurred directly in front (south) of the CVS Pharmacy. The approximate crime scene is circled in red on the map listed below. The area was well illuminated by lights from the overhang, as well as lighting from inside the store.



Aerial view of 5644 Mission Center Road



Scene Investigation:

After Oberndorfer's walkthrough, Detective Ron Newquist #4999, Crime Scene Specialist (CSS) Jennifer Sanders #8393, Criminalist Tess Hemmerling #8765 and Criminalist Reconstruction Trainee Lisa Wilson and I entered the crime scene.

San Diego Police Officer Oberndorfer's marked police vehicle, equipment #7213 was parked about 34 feet south of the front door of the CVS Pharmacy. The front driver's side door was open. East of the CVS front door, was a yellow emergency blanket covering the suspect. The only portion of the body that was visible was the feet and right hand.

	<p>After Officer Oberndorfer's walkthrough, CSS Sanders and I estimated Robert Hober's (suspect) location when the shooting occurred. CSS Sanders marked this location with an Orange flag.</p> <p>After Officer Oberndorfer's walkthrough, CSS Sanders and I estimated Officer Oberndorfer's location when the shooting occurred. CSS Sanders marked this location with a pink flag.</p>
	<p>The yellow placards displayed by CSS Sanders on 08/28/15 mark location of evidentiary items.</p> <ul style="list-style-type: none">#1-Projectile#2-Green Box Cutter#3-Broken wine bottle with label#4-Shell casing#5-Shell casing#6-Portion of broken bottle

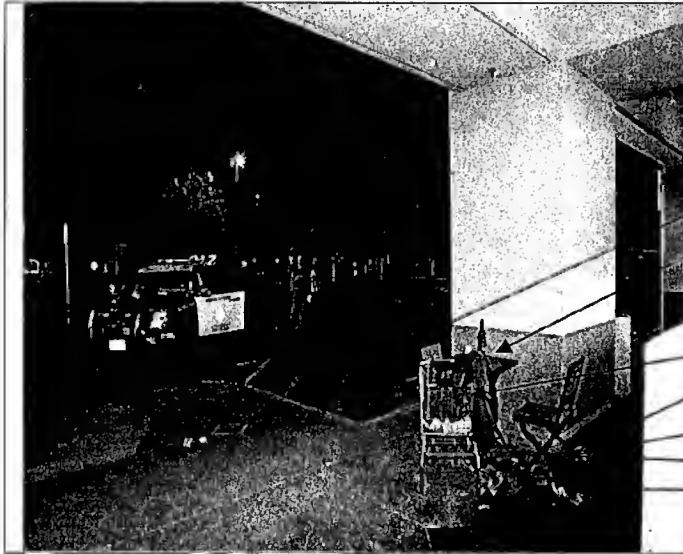
I noted the following items of evidence located at the scene. A projectile (Placard #1) was previously marked in the crime scene by a "tented" PD-145 paper. A green box cutter (Placard #2), a broken wine bottle with label (Placard #3). Two (2) .45 ACP shell casings (Placards #4-5) were located east of the rear bumper of equipment #7213 and also marked with PD-145 paper. A second piece of wine bottle was located under Oberndorfer's rear passenger door (Placard #6).

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Prior to Officer Oberndorfer's arrival, Hober (suspect) was seen by CVS staff sitting at this table.

Placard #7-Coffee cup lid

Placard #8-Hober's items on table (Paper coffee cup, ¼ full Yellow Tail wine bottle, 2 lighters and a receipt.

Placard #9-Grocery Cart and sweat shirt

Placard #10-Top to wine bottle

Placard #11-Cork screw

Placard #12-Flip Flop sandals

Placard #13-2 pieces of paper



On 08/28/15, at about 0115 hours I assisted Lieutenant Hastings in placing a yellow tarp over Hober's body. Two items of evidence were located just north of Hober (see below).

Placard #14-Wine cork

Placard #15-Green pen



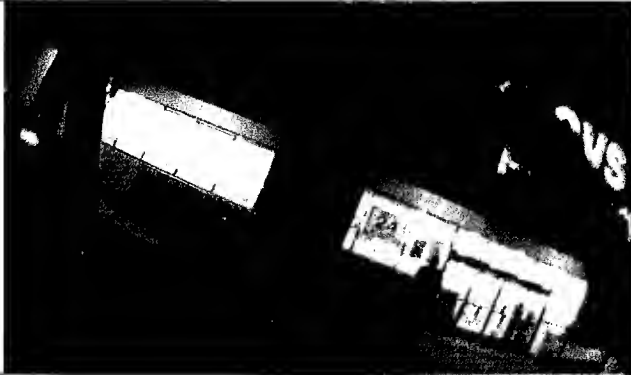
Hober's body was located on the ground, east of the front door of the CVS Pharmacy at 5644 Mission Center Road. His head was facing west. Hober's pants had been cut by medical personnel. Medical treatment was obvious due to the medical apparatus in his mouth and on his chest.

I observed an apparent gunshot wound around Hober's left rib cage. I also noticed apparent gunshot wounds to both Hober's legs.

On August 31, 2015, I viewed the video footage from Officer Oberndorfer's body worn camera. I noted Oberndorfer opened his driver side door about 25 seconds into the video. Before Oberndorfer exited his vehicle, Robert Hober begins to quickly walk towards him (see video stills below). Officer Oberndorfer's first shot occurs at about 32 seconds into the video. On September 2, 2015, I took a rolling tape measure to the shooting scene. I used the photos listed below to estimate Hober's position as Officer

Oberndorfer began to exit his vehicle. I then used the video stills to estimate Hober's position when shot by Officer Oberndorfer (photo #8 below). Using these tools, I estimated Hober covered about 30 feet in under 7 seconds. I estimate Oberndorfer retreated about 18 feet.

Video still #1



Video still #2



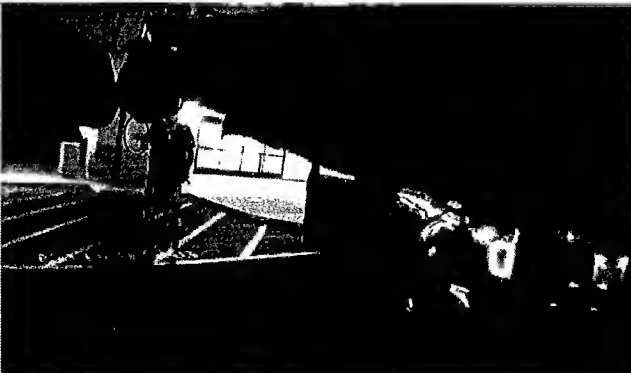
Video still #3



Video still #4



Video still #5

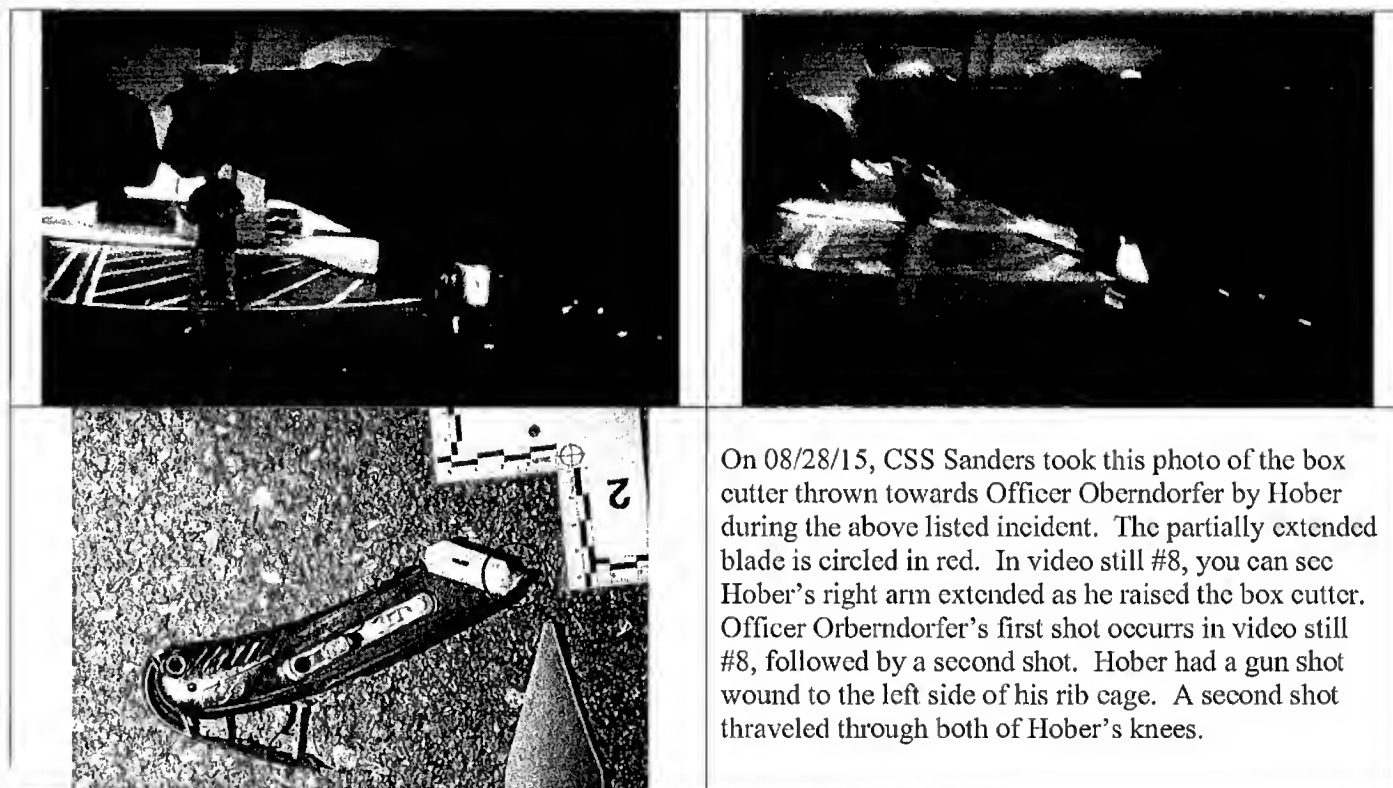


Video still #6



Video still #7

Video still #8



On 08/28/15, CSS Sanders took this photo of the box cutter thrown towards Officer Oberndorfer by Hober during the above listed incident. The partially extended blade is circled in red. In video still #8, you can see Hober's right arm extended as he raised the box cutter. Officer Oberndorfer's first shot occurs in video still #8, followed by a second shot. Hober had a gun shot wound to the left side of his rib cage. A second shot traveled through both of Hober's knees.

At 0408 hours, Chief Medical Examiner Dr. Glenn Wagner arrived along with Investigator Christopher Burton #23. Detective Newquist briefed them about the incident.

At 0421 hours, Dr. Wagner and Investigator Burton examined Hober's body. Hober was wearing a black t-shirt, blue jeans and green boxer shorts.

At 0456 hours, the body removal team arrived.

At 0505 hours, the body removal team placed paper bags on Hober's head, hands and feet.

At 0512 hours, the body removal team placed the body in a white sheet and then in a white body bag in my presence.

At 0516 hours, Investigator Burton placed a red plastic seal on the bag with number [REDACTED]

At 0517 hours, the body removal team removed the body from the scene.

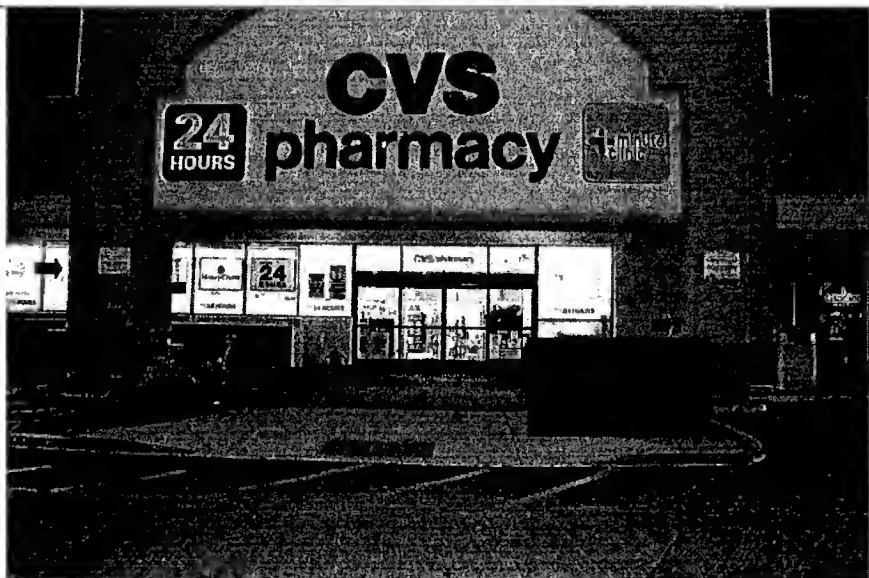
Evidence Collection:

All the evidence was photographed and collected by CSS Sanders. Prior to securing the crime scene we again checked the area for additional evidence and none was found.

Body Measurements

Legend:

R1-South Wall of CVS (front of business)
 R2-West face of East entrance pillar
 R3-East face of West entrance pillar
 R4-West face of West Entrance pillar



DESCRIPTION	R1	R2
Head	12'10"	6'4"
Torso	12'1"	4'6"
Right Hand	14'3"	3'4"
Left Hand	10'4"	3'6"
Right Foot	11'2"	1"
Left Foot	9'3"	1"

EVIDENCE MEASUREMENTS:

Placard #	DESCRIPTION	R1	R2	R3	R4
1	Projectile (Missile)	40'4"	N/A	N/A	10'0"
2	Green box cutter	42'5"	N/A	N/A	9'5"
3	Broken glass with label	49'9"	N/A	3'2" (west)	N/A
4	Shell casing	53'6"	N/A	N/A	0
5	Shell casing	54'0"	N/A	1'	N/A
6	Broken wine bottle	38'0"	N/A	1' (west)	N/A
7	Coffee cup lid	17'0"	N/A	7'4"	N/A
8	Items from top of table	10'4"	N/A	1'3" (center of table)	N/A
9	Grocery cart and jacket	10'4"	N/A	4'0"	N/A
10	Wine bottle cap (plastic)	8'7"	N/A	3'7"	N/A
11	Cork screw	8'10"	N/A	3'1"	N/A

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12	Flip flop sandals	8'1"	N/A	2'0"	N/A
13	2 pieces of paper	6'7"	N/A	2'5"	N/A
14	Wine cork	10'7"	8'7"	N/A	N/A
15	Green pen	10'8"	7'4"	N/A	N/A
16	Hober's wallet	Hood of Oberndorfer's vehicle			

I completed the scene processing and secured at 0530 hours.

Reporting Detective B. KellnerI.D. 5776Homicide Team: IIIApproved by: Sgt M. Dobbs #5228Date of this report: 08/31/15Time: 0800

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)
TIME (occurrence): 0016 Hours
LOCATION: 5644 Mission Center Road
SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBER, Robert Arthur W/M (54) 09/20/60

Morgue Scene:

On August 28, 2015 at approximately 1100 hours, Forensic Specialist Jennifer Sanders #8393, Detective Ron Newquist #4999 and I viewed the decedent who was lying supine on a table in the examining room at the San Diego County Medical Examiner's Office. At this time, the decedent was encased in a white zippered body bag. The body was identified in writing by an attached Medical Examiner's blue identification band, bearing the name "Hober, Robert" and [REDACTED] A red plastic seal bearing the number [REDACTED] closed the bag securely.

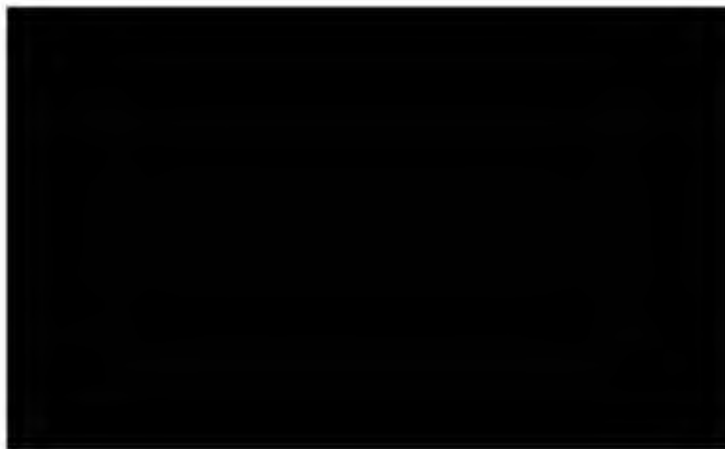
Dr. Glenn Wagner, The County Deputy Medical Examiner Pathologist, was to perform the autopsy. Dr. Othon Mena was the witnessing pathologist. Forensic Autopsy Assistant Michael Andrade was scheduled to assist Dr. Wagner.

Prior to the examination of Hober, he was x-rayed to determine the presence and location of any projectiles or broken bones.

At approximately 1106 hours, Crime Scene Specialist Sanders began taking overall photographs of the body bag in which Hober was encased. Dr. Wagner broke the seal and opened the body bag. Hober was found wrapped in a white sheet. His head, hands and feet/shoes were bagged. Various items of medical intervention were attached to his person. He was also wearing a black t-shirt, blue jeans and green boxer shorts. Crime Scene Specialist Sanders collected the sheet and took additional photographs of Hober in his present condition. The body bag was discarded.

Hober was dressed the same and appeared to be in the same condition as when he left the scene on August 28, 2015. The plastic bags placed on the decedent's head, hands and shoes at the scene by the body removal team were still in place.

At approximately 1133 hours, Dr. Wagner removed the paper bags from Hober's head, hands and shoes. Crime Scene Specialist Sanders collected the bags. Dr. Wagner and Forensic Autopsy Assistant Andrade then removed Hober's clothing. Dr. Wagner examined the clothing.



After the examination of the clothing, Crime Scene Specialist Sanders collected the items.

At 1155 hours, Crime Scene Specialist Sanders conducted fingernail scrapings on the decedent and collected the removed matter.

At 1159 hours, Crime Scene Specialist Sanders collected head hair from Hober.

At 1200 hours, Crime Scene Specialist Sanders took a mouth swab from Hober.

After the items of evidence were collected, Forensic Autopsy Assistant Andrade washed Hober.

At approximately 1207 hours, after being washed, Crime Scene Specialist Sanders photographed Hober in his present condition. I began to closely view the decedent.

The decedent appeared to be a white male appearing consistent to the identified age of 54 years. He was approximately 74 inches tall and weighed approximately 220 pounds. He had brown and gray colored hair that was about four inches in length at its longest point and Hazel colored eyes.

The face and head were viewed. The following trauma was noted.

- Hober had a laceration to the back of his head.



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Morgue Scene

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The decedent's neck was viewed.

- No trauma was noted.

The decedent's chest and abdomen were viewed.

- Hober had an entrance wound measuring approximately ¼ inch in his left rib cage area.



The decedent right shoulder, arm and hand were viewed.

- Hober had an abrasion to his right elbow.

The decedent left shoulder, arm and hand were viewed.

- Hober had an abrasion to his left elbow.

The decedent's groin was viewed

- No trauma was noted.

The decedent's right leg and foot were viewed.

- Hober had an abrasion to his right knee.
- Hober had an entrance/exit wound to the inside and outside of his right knee.



The decedent's left leg and foot were viewed.

- Hober had an entrance/exit wound to the inside and outside of his left leg (just above left knee).

Investigator's Report

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The decedent's back and buttocks were viewed.

- No trauma was noted.

At this point, Dr. Wagner proceeded with the autopsy. At the conclusion of the autopsy, Crime Scene Specialist Sanders collected the recovered evidence. For details regarding evidence recovered, please refer to Crime Scene Specialist Sanders Evidence Report.

Dr. WAGNER concluded the cause of death was consistent with a penetrating gunshot wound to the abdomen and listed the manner of death as a Homicide.

At approximately 1415 hours, Crime Scene Specialist Sanders and I cleared from the Medical Examiner's Office.

Reporting Detective B. Kellner

I.D. 5776

Homicide Team: III

Approved by: Sgt M. Dobbs #5228

Date of this report: 09/10/15

Time: 0800

SAN DIEGO POLICE DEPARTMENT HOMICIDE SCENE ROSTER/SUMMARY REPORT

Location: 5644 MISSION CENTER RD. Date: 08/28/15 Time: 0011 Beat: 315

INCIDENT NUMBER: 15080049480

Suspect(s): HOBER, ROBERT ARTHUR Victim(s): _____

Sgt./Lt.: SWADENER / BEHRENDT ID 5753 / 4528 Scribe: A. FIORILLO ID#: 7205

SERGEANT'S CHECK LIST

1. ☒ SCENE CONTAINMENT, PROTECT EVIDENCE. TIME PERIMETER ESTABLISHED 0017 HRS.
2. ☒ INSURE SCENE IS LARGE ENOUGH (CONSIDER ESCAPE ROUTE OF SUSPECT).
3. ☒ NEIGHBORHOOD CHECK.
4. ☒ IDENTIFY, ISOLATE AND INTERVIEW ALL WITNESSES.
5. ☒ DOCUMENT WITNESS SEARCH.
6. ☒ ATTEMPT TO IDENTIFY THE SUSPECT.
7. ☒ BROADCAST ALL UNITS IF NECESSARY.
8. _____ CONDUCT A FOLLOW UP INVESTIGATION WHENEVER POSSIBLE.
9. _____ RECORD ALL LICENSE PLATES IN SCENE AREA.
10. ☒ PREPARE A LIST OF KEY WITNESSES TO DISCUSS DURING HOMICIDE BRIEFING.
11. _____ REVIEW AND APPROVE ALL REPORTS FROM PATROL OFFICERS AT SCENE (HEADING ON REPORTS).
12. _____ COMPLETE THE HOMICIDE ROSTER REPORT FORM.

UNIT RESPONSE AND ASSIGNMENT

1ST OFFICER/UNITS ON SCENE:

1. <u>E. OBERNDORFER</u>	ID# <u>5672</u>	2. <u>S. HOLSLAG</u> ✓	ID# <u>5356</u>
3. <u>D. LEACH</u> ✓	ID# <u>4998</u>	4. _____	ID# _____

OFFICER'S ENTERING SCENE:

1. <u>H. LEGRAND</u> ✓	ID# <u>6198</u>	2. <u>P. HELLER</u> ✓	ID# <u>5400</u>
3. <u>A. FIORILLO</u> ✓	ID# <u>7205</u>	4. <u>B. MOORE</u> ✓	ID# <u>5556</u>
5. <u>M. HMMES</u> ✓	ID# <u>6750</u>	6. <u>A. CHIAPPONE</u> ✓	ID# <u>7194</u>

OFFICER'S AT SCENE:

NAME	ID#	UNIT #	ARJIS 9	SCENE ASSIGNMENT
1. <u>E. COOPER</u>	<u>6523</u>	<u>31523</u>	✓	<u>PUT PERIMETER / WITNESS</u>
2. <u>C. ROBLES</u>	<u>6606</u>	<u>31523</u>	✓	<u>PULL CAD REPORT AT SUB</u>
3. <u>LT. HASTINGS</u>	<u>5170</u>	<u>TEAM 3</u>	—	_____
4. <u>CHIEF ZIMMERMAN</u>	<u>3463</u>	_____	—	_____
5. <u>B. KELLNER</u>	<u>5776</u>	<u>TEAM 3</u>	—	_____
6. <u>S. WALDHEIM</u>	<u>5514</u>	<u>1A</u>	—	_____
7. <u>B. COLON</u>	<u>4614</u>	_____	—	_____
8. <u>B. BROWN</u>	<u>5379</u>	<u>31352</u>	✓	_____
9. <u>LT. NOVAK</u>	<u>5098</u>	<u>1A</u>	—	_____
10. <u>J.C. SMITH</u>	_____	<u>DAI</u>	—	_____
11. <u>T. MCMAHUS</u>	<u>3974</u>	_____	—	_____
12. <u>D. NISLEIT</u>	<u>1600 C</u>	<u>1600 C</u>	—	_____
13. <u>LT. BROWN</u>	<u>3950</u>	_____	—	_____
14. <u>G. WAGNER</u>	<u>1</u>	<u>ME</u>	_____	_____
15. <u>C. BURTON</u>	<u>23</u>	<u>ME</u>	_____	_____

PARAMEDICS UNIT # 1. 36 2. 3. 45
 HOMICIDE TEAM # 3 ASSUMED CONTROL OF THE SCENE AT _____ HOURS.

WITNESS CHECK/DETENTION

NAME	DOB	SS #	ADDRESS AND PHONE	OFFICER	ID #
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HUMES	6750
[REDACTED]	[REDACTED]	[REDACTED]		HUMES	6750
[REDACTED]	[REDACTED]	[REDACTED]		CHAPMAN	7194

NARRATIVE

CONTINUATION OF OFFICERS AT SCENE :

M. ESCALANTE	#5651	326J3	✓	EAST PERIMETER
T. ROMBERGER	#6394	324J3	✓	NORTHEAST PERIMETER
D. HODGES	#5245	327H2	✓	NORTH PERIMETER
A. SULTAN	#7278	323Y2	✓	EAST PERIMETER
J. SAUREGHI	#6382	352Q3	✓	EAST PERIMETER
R. QUINN	#6390	352Q3	✓	EAST PERIMETER
C. GARCIA	#6366		✓	EAST PERIMETER
R. McDONALD	#4888	325S3	✓	TRANSPORT OFFICER

ORANGE COUNTY SHERIFF'S OFFICE

SEE ATTACHED ARJIS-9 FOR OFF. A. FIORILLO #7205 (scribble) NARRATIVE

SGT/LT

ID #

MAJOR CRIME BRIEFING SCRIPT

(Homicide, Robbery, Sex Crimes, child Abuse Units)

I am (rank/ID#/unit): ART SWANEN 545 5753 31553

At 0611 hours, San Diego Police Communications received a call from (name/address/phone#):
CVS 5644 MISSION CENTER RD

The call was entered in Communications at 0011 hours.

The call was dispatched at 0012 hours. The incident number is 15080049480

The call originally came in as a (type) 417 on Beat # 315

At (address) 5644 MISSION CENTER RD

Weather conditions at the time of the incident were (clear/rain/foggy, etc) Clear

The approximate temperature at the time of the incident was 60°F

Officer(s) was/were the first officer(s) on the scene, arriving at 0014 hours

Name	ID#	Unit #
<u>ERIC OBERNDORFER</u>	<u>5672</u>	<u>31353</u>

The victim has been identified as (name/address/dob/race/sex/height/weight, etc.)
ROBERT ANTHON HOBEN 09-20-40 6'2" 240 BW H2L

Infant death - Primary caregiver during incident was (name/address/phone #/dob/rac

Paramedic Unit # 36 Engine Co # 45 transported the victim to

Paramedic #1 Roman ID # 210329

Paramedic #2 BERRY ID # 24845

Officer _____ ID # _____ rode/went to the hospital with the victim and did/did not obtain a statement from the victim. The victim's statement, if any, is:

The victim was pronounced dead by: Dr. DEANER at 0634 hours

The victim is/was located: (describe scene, position of body, wounds if known and possible weapon)
HOBEN IS LOCATED OUTSIDE THE CVS HEAD POINTING WEST

Initial information/interviews have revealed the following scenario/scene conditions:

OFFICER OBERNDORFER ARRIVED ON SCENE HOBEN WAS SITTING AT THE TABLE WHEN HE SAW THE OFFICER HE BRANDISHED THE BOX CUTTER AND ADVANCED ON OBERNDORFER HE ORDERED HIM TO PUT IT DOWN HOBEN CONTINUED TO ADVANCE SHOTS WERE FIRED

(Over)

Priority witnesses are: (name/address/phone/current location)

SWR checked by server

The suspect(s) are described as follows: (name/address/dob/race/sex/height/weight/etc.)

Robert

The suspect vehicle is described as:

N/A

CHECK LIST

1. Scene containment, protection of evidence, time perimeter established _____ hours.
(LIMIT ACCESS INTO AND OUT OF THE SCENE. LEAVE SCENE INTACT UNTIL
ARRIVAL OF INVESTIGATORS: do not drain water from tubs, sinks, etc. Protect
locations where latent prints may possible be found, etc.).

2. Insure scene perimeter is large enough, taking into account the type of case (consider
Escape route of suspect).

3. Neighborhood witness check completed.

4. Identify, isolate and interview all witnesses.

5. Document the witness search.

6. Attempt to identify the suspect.

7. Broadcast all units if necessary.

8. Conduct a follow-up investigation.

9. Record all license plates in the area of the scene.

Follow Up Investigation: (Describe what steps were taken to identify and arrest suspects).

Are there any Questions?
Maintain control of the scene until the scene is released to the investigator. Do not release scene prior to
arrival of investigator without approval of investigator.

Control of the scene was relinquished to Sgt DeBBS at 0205 hours.

How may we be of further assistance?

OFFICER INVOLVED INCIDENT CHECKLIST

LAST NAME: OBERNDORFER FIRST: ERIC MIDDLE: IRA

Age [REDACTED] D.O.B. [REDACTED] Height 6'0"
 Weight 170 Hair BRO Eyes HAZ
 Police ID # 5672 Badge # 3765
 Date of Hire 03-03-00
 Assignment EASTERN PAT
 Supervisor SGT. ART SWADENER
 Length of Assignment 01-01
 Unit # 31373 Equipment # 7213
 Work Hours 2100-0700 Days Off SSM
 Hours of Sleep Prior to Shift 7

Right/Left Handed
 Eye Sight [REDACTED]
 Glasses? Yes [REDACTED] No [REDACTED] Contacts Yes [REDACTED] No [REDACTED]
 Glasses or Contacts Worn? Yes [REDACTED] No [REDACTED]

Have you consumed any alcoholic beverages in the last 24 Hours? If so/ Type NO Quantity [REDACTED]

Protective Vest [REDACTED]
 Worn? [REDACTED]
 Front Panel? [REDACTED]
 Back Panel? [REDACTED]
 Primary Weapon [REDACTED]
 Make GLOCK Caliber .45
 Serial # [REDACTED] Model # 21
 Department [REDACTED] Personal [REDACTED]

If weapon is an automatic, was it carried with a round in the chamber? [REDACTED]
 Primary Weapon [REDACTED]
 Secondary Weapon [REDACTED]
 Carbine [REDACTED]
 Number of rounds carried in magazine or cylinder? [REDACTED]
 Primary Weapon [REDACTED]
 Secondary Weapon [REDACTED]
 Carbine [REDACTED]

Have you altered your weapon? Yes [REDACTED] No [REDACTED]
 If so, how? [REDACTED]

Less Than Lethal Force Used? Yes ☐ No ☒
 OCN (Pepper Spray) ☐ Baton ☐ ASP ☐
 Nunchukas ☐ Taser ☐ Beanbag ☐
 Other ☐

M. DOBBS #5228 08/28/2015
 Sergeant Date:

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)
TIME (occurrence): 0016 Hours
LOCATION: 5644 Mission Center Road
SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBER, Robert Arthur W/M (54) 09/20/60

OFFICER INTERVIEWED: OBERNDORFER, Eric, ID #5672
Eastern Patrol/3rd Watch
Phone: [REDACTED]

INTERVIEW OF OFFICER OBERNDORFER:

MH: Mike HASTINGS, Lieutenant, Homicide Unit
MH: Mile HOLDEN, Lieutenant – Mid City Division
MD: Matt DOBBS, Sergeant, Homicide Unit
EO: Eric OBERNDORFER, SDPD Eastern Patrol, 3rd Watch
RP: Rick PINKARD, POA Attorney

MD: All right. It is Friday, August 28th (2015) 0347 in the morning. This is Sergeant Matt DOBBS, San Diego Police, Homicide Team 3. We're in the Homicide Conference Room. We'll be doing an interview with Officer Eric OBERNDORFER regarding an officer involved shooting. Also present is Lieutenant Mike HASTINGS from the Homicide Unit, Lieutenant Mike HOLDEN for Mid-City Division. And as his attorney is Rick PINKARD. Eric, can you spell your last name for me?

EO: O-B-E-R-N-D-O-R-F-E-R.

MD: And E-R-I-C?

EO: C.

MD: And your middle name?

EO: Ira, I-R-A.

MD: And how old are you?

EO: [REDACTED]

MD: And your birthday?

EO: [REDACTED]

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Interview of Officer OBERNDORFER
Case #15-037226; #15-037227
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MD: And how tall are you?
EO: 6 foot.

MD: How much do you weigh?
EO: 170.

MD: Color of hair?
EO: Brown.

MD: And the color of your eyes?
EO: Hazel.

MD: ID number?
EO: 5-6-7-2.

MD: And your badge number?
EO: 3-7-6-5.

MD: And your date of hire?
EO: March 3rd, 2000.

MD: And what's your current assignment?
EO: Eastern Division Patrol.

MD: And your supervisor?
EO: Is Sergeant Art SWADENER. SWADENER.

MD: And how long have you been assigned to Eastern?
EO: Since, I think it was January of '01.

MD: And what unit were you working tonight? What unit number?
EO: Uh 313J3.

MD: And do you recall what equipment number you have?
EO: Uh 7-2-1-3.

MD: And what hours do you normally work?
EO: Uh 2100 to 0700.

MD: And your days off?
EO: Uh are currently Saturday, Sunday, Monday.

MD: And how many hours did you sleep prior to the shift today?
EO: About seven.

MD: Are you right or left-handed?

EO: Right.

MD:

EO:

MD:

EO:

MD:

EO:

MD:

EO:

MD:

EO:

MD:

EO:

MD:

EO:

MD:

EO:

MD:

EO:

MD: Have you consumed any alcohol in the last 24 hours?

EO: No.

MD: Were you wearing your vest at the time of the shooting?

EO:

MD: Front panel?

EO:

MD: Back panel?

EO:

MD: And your primary weapon is what?

EO: Is a Glock 21.

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MD: That's a .45 caliber?

EO: Yes.

MD: Do you know the serial number? You can go ahead and look. That's fine.

EO: It is [REDACTED]

MD: It's a personal gun?

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: Okay. Did you have a rifle with you?

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD: [REDACTED]

EO: [REDACTED]

MD:

EO:

MD: Have you altered your gun in any way?

EO:

MD: Was there any less than lethal force used in this incident?

EO: No?

MD: Batons? Okay. Okay, let's get on with the interview. I have a map here, aerial picture if you need it to refer to anything, or if anyone else needs to clarify anything. How did you first become aware of the incident that lead to the shooting tonight?

EO: I heard a radio call aired of a 417 knife at the CVS on Mission Center. I believe Sergeant SWADENER volunteered to go to it because most everybody was tied up on a burglary. On Fenton and Parkway, that's where I was, and I was leaving that location to actually go Code 8, and had turned westbound onto Friars when the call was coming out. And I was down the street so I volunteered to go to the call.

MD: Okay, and do you remember the details of that call?

EO: What I remember is there was a 40 to 50 year old white male who had a box cutter threatening, had threatened [REDACTED] with it and [REDACTED] ran back into the store. And the male was acting agitated.

MD: Okay. And so you responded to the scene from?

EO: From Fenton Parkway.

MD: Fenton Parkway?

EO: Yeah.

MD: About how far away is that?

EO: Uh I'm gonna guess roughly a mile and a half, to two miles. Somewhere in that range I guess.

MD: Do you recall if they gave a description of the male?

EO: They did. They said he was wearing a black shirt, and I think blue jeans, but I asked for an updated description when I went on scene.

MD: Okay, from the time you responded to the time you went on scene, do you recall any updates being given?

EO: Only that he was sitting a table. The RP said he was still sitting at a table. I assumed around somewhere in the vicinity of the CVS.

MD: On the original 417 call they said he was armed with a box cutter?

EO: Yes.

MD: Was he armed with any other weapons that they mentioned?

EO: No.

MD: Any other non conventional weapons?

EO: No. I do recall that he had dropped or threw something. They said he had broke a bottle of wine in the parking lot and I remember that as part of the call too. And I don't know if that was part of his agitation but uh, I remember that being put out. But no other weapons were mentioned.

MD: Okay, when you arrived on scene, you said you asked for another update?

EO: Yeah. As I was pulling into the driveway from Hazard Center, driving eastbound into the parking lot, I saw an Asian male wearing a black shirt and black shorts, walking on the east side of the driveway, westbound. I'm sorry on the south side of the driveway, westbound. And that's when I asked her for an update because this wasn't a white male that I've seen walking towards me. And I wanted to make sure that I was not passing the suspect. She said it was a white male 40 to 50 and this guy was probably in his 20's or 30's.

MD: Okay. For the purpose of the interview and just for clarification, we'll consider Friars running east and west, and the CVS would be on the north side of Friars Road?

EO: That is correct.

MD: Okay. On this map right here, can you indicate which driveway you came in?

EO: Okay, I have to see where....here's the CVS, here's Friars Road. There is a....

MD: It is expanded out far enough?

EO: Yeah. It's not expanded out far enough. There...over...here which would be the kind of the southwest corner of this photo, if it were expanded out, is Hazard Center Road.

MD: So it'd be that lone driveway that comes in off of....?

EO: Yes.

MD: Off of....?

EO: It goes....

MD: Okay.

EO: Goes in from the west side of the shopping center.

MD: Okay. And can you indicate the route you took coming in?

EO: Yeah.

MD: Just draw an arrow, just right there. Okay. Okay, so you arrive on scene. You ask for an additional update. You see the Asian male.

EO: Right.

MD: Are you given any further updates?

EO: Not any further updates other than the RP said, 'He's still sitting at the table', and I, and the reason I say it that way is because there are tables in front of some restaurants to the west of the CVS. There's other shops. There's uh the 'Jamba Juice', and 'Einstein Bros.', and there's tables in this area here. And I didn't see him at the tables there. And as I was driving very...I was driving slowly, probably five to ten miles an hour, you know, looking for him. I could see there were no tables along the south facing portion of the CVS. I didn't see the table behind the pillar until I reached almost the front door of the CVS. And that's when I saw him sitting at the table and I made a, kind of a northerly turn towards him and stopped my patrol vehicle.

MD: When you first saw him, what did you notice?

EO: He was sitting at the table. He matched the description that was put out; black shirt, white male, 40's to 50's. It looked like there was a wine bottle on the table and some other package or bag on the table. But um, as I'm pulling in, stopping, opening my door, that's when he immediately stood up. I could see that he was agitated. He was yelling something and it sounded something similar to, 'Oh bullshit!' 'No way' or something like that. And that's when he brought out the box knife and started advancing towards me.

MD: Okay. As you pull up, at what point does he stand?

EO: As I'm exiting my patrol vehicle. It's like I pull in, I'm opening my door, stepping out. He's getting up simultaneously. And I step out and he gets up and that's when he brings out the box knife.

MD: Okay.

EO: Box cutter.

MD: Okay. Where did he get the box cutter from?

EO: Initially it looked like it was in his...I think it was in his left hand. Or I don't know if he transferred because I went immediately to my lethal because he was advancing towards me. And I was backing up and with each stride backwards I was yelling, 'Drop the knife! Drop the knife! Drop the knife! Took about four long, four or five long strides backwards just retreating from him, giving him commands to drop the knife and he was quickening his pace and I'm going backwards and he brought...that's when he brought his hand up to throw the knife. And that's when I fired.

MD: Okay. When you initially saw the box cutter, what did you notice about it? Did you immediately recognize it as a box cutter?

EO: Yeah. I saw the...I could see the, the metal colored blade and it reflected off of lights from the CVS. I mean I could clearly see it in his hand.

MD: Okay. And are you familiar with box cutters?

EO: Yes I am.

MD: What type of blade do box cutters normally have on them?

EO: It had like a triangular shape.

MD: Okay. So he initially, you believe, pulls out the box cutter with his left hand? As far as you recall?

EO: Yeah. Either pulls out or as he gets up from the table has it. He's, he brings it up into a, a threatening position, out towards me.

MD: Can you describe the threatening position?

EO: A threatening position was out in front of him pointed at me in that position as he started to walk, advance towards me.

MD: Okay, but you never, you never saw where he got the box cutter from? If it was on the table or....

EO: If was on the table, out of his pocket, I just saw it come out.

MD: Okay.

EO: You know, in his hand, and again I don't recall him transferring to his right hand, but when he went to throw it, it was, in his, I believe it was in his right hand when he came up to throw it at me.

MD: Okay, and when he stands up and he's bringing this box cutter out, that's at the same time that you're getting out of your vehicle?

EO: Yes.

MD: Okay and I know you said he was yelling and saying things at the time.

EO: Yeah. Other than the initial something like, 'Oh bullshit', 'No way', something to....but I don't know exactly what because I'm uh bringing out my weapon and my gun and immediately started yelling at him, 'Drop the knife! Drop the knife!' as I retreated.

MD: How would you describe his voice and demeanor at that point?

EO: He was agitated.

MD: Okay.

EO: Definitely agitated.

MD: So he eventually, as you exit your car, he pulls the box cutter out. Eventually transfers it to his right hand?

EO: Yeah. I believe it's in his right hand because he came up to throw it and as he brought his arm up and started to come forward, that's when I fired and the box cutter literally landed at my feet. It just kind of floated and landed because I probably hit him as he was starting his forward motion.

MD: And for the purpose of the tape (audio) you're bringing up, demonstrating...

EO: Right, my arm up and starting to advance it forward.

MD: Similar to throwing a baseball overhand?

EO: Yeah.

MD: Okay, and at that point you could see the blade reflecting on the light?

EO: I saw the blade when he got, when he started to walk towards me.

MD: Do you recall if he was saying anything to you at that point?

EO: He was yelling, but I again I cannot tell you anything he said to me because I was yelling, 'Drop the knife! Drop the knife! Drop the knife!', as I was retreating. And I'm yelling pretty loudly.

MD: You had your weapon drawn at that point?

EO: Yes.

MD: Do you know how far you retreated?

EO: I probably retreated uh twenty feet from my door at least.

MD: And what was the purpose for retreating?

EO: To continue giving him commands to drop the knife. Give him the opportunity to drop the knife and keep distance between us, but he was closing that distance. I couldn't retreat as fast as he was advancing on me. I couldn't walk backwards as fast.

MD: So you were trying to create distance? Give him an opportunity to surrender?

EO: Yes.

MD: As you're describing?

EO: Yes.

MD: Did he ever take that opportunity?

EO: No.

MD: Okay. What did he do in response to that?

EO: Again, he brought the knife up into a throwing position and that's when I fired.

MD: Okay. And why did you fire your gun at that point?

EO: Because I was in fear of being mortally or seriously injured by the blade of the knife.

MD: Do you recall how many rounds you fired?

EO: Two.

MD: Two rounds. Do you know if they had any effect on him?

EO: I know they had effect because he turned away from me and started walking staggeredly towards a pillar on the east side of the doorway to the CVS. And I was giving him commands to get down on the ground, 'Get down! Get down! Get down on the ground!' Repeatedly I put out, 'Cover now! Shots fired! Shots fired!', and then was telling him to get down on the ground. He went up...leaned against that pillar on the east side of the doorway. I'm still yelling at him to get down. He kind of slumped, turned and then fell backwards on his back. And I went over because I knew that at least he didn't have

anything in his hands at that time. And he was not resistive at that point so I handcuffed him.

MD: Okay. Do you recall...you said previously that he threw the knife at you?

EO: Yes.

MD: Okay. Do you know where that knife landed?

EO: Yes.

MD: And where was that?

EO: It landed almost at my feet.

MD: Okay. Do you recall what velocity he threw the knife?

EO: I just remember the knife coming towards me and hearing it hit the ground, right near my feet.

MD: Okay. When he threw the knife at you, was it thrown in an assaultive manner?

EO: Yes.

MD: That you would describe it, it wasn't he was dropping it down to the ground?

EO: No. He was...

MD: Okay.

EO: it was assaultive. He was, he was throwing the knife to hit me with the knife.

MD: Okay. Do you recall...I know it's very difficult in these situations, the, you know, the timing of everything. At what point did you make the decision as he's raising the knife to throw at you and then throws it at you? At what point did you make the decision to fire?

EO: As his arm was coming forward.

MD: Okay. And you said previously that because you thought he was going to throw the knife at you and you could be seriously injured if not killed. Do you know when the shots actually went off in that time frame?

EO: Yeah. Again as his arm was moving, just moving forward is when I fired.

MD: Okay. Was the knife ever moved after the shooting incident?

EO: No.

MD: To your knowledge?

EO: No, it was right where it was.

MD: Okay. And you're still giving him directions to get down on the ground?

EO: Yes.

MD: Okay. Do you remain behind your car where the shots were fired or are you following him?

EO: I moved forward as he turned and started walking kind of northeasterly and then easterly to that pillar. I kind of kept an equal distance following him. Giving him commands to get down.

MD: Okay. So you said he eventually falls to the ground?

EO: Yes.

MD: And you can see there's nothing in his hands at that point?

EO: Yes.

MD: So you go and decide to handcuff him?

EO: Yes.

MD: And you were alone at that point?

EO: Yes.

MD: About how long did it take for the next units to arrive?

EO: A canine sergeant arrived as I was putting him back over on his back, after handcuffing him, and to then assessing him. Where he was shot. I could see that there was a bullet hole in his shirt, on the left side of his chest with blood. I pulled the shirt back, saw the wound and then I checked for his pulse and he was...had labored breathing. And I put out that he was still breathing, you know, start paramedic. Once I had him handcuffed and turned over, I said, 'He's still's breathing. Start paramedics.' And then I told him medics were en route and the canine sergeant came back with a trauma kit and he says, 'You know I don't really know what we're going to do with this', but you know, and then they started CPR on him.

MD: Okay. Did you participate in the CPR?

EO: No. I provided a mask to another officer and it was Houshawn LEGRAND was performing the CPR and I handed the CPR mask to Tony, Anthony...sorry I can't remember his name.

MD: That's okay.

EO: Another officer.

MD: And did you have any more contact with the suspect after that?

EO: After they were giving him CPR, I removed the handcuffs before they started the CPR. When the canine sergeant came back up with the trauma kit, we could see he was not conscious. He said, 'Go ahead and take the handcuffs off' so they started CPR. So I took the handcuffs off of him.

MD: Going back a little back a little bit, you responded there on a call of a male that was brandishing a box cutter?

EO: Yes.

MD: And that had chased [REDACTED] back in the store?
EO: Yes.

MD: Then....
EO: Excuse me.

MD: That's fine.
EO: That's my son.

INTERVIEW STOPPED SO OFFICER OBERNDORFER COULD TAKE PHONE CALL
(The digital recorder did not pause during this break. The recording during this time period includes a conversation between Officer Oberndorfer and his son, then an exchange between Officer Oberndorfer and his attorney. The conversations during this time are considered privileged and were not transcribed)

MD: All right, we're gonna go back on tape here. All right, we're back on. It is 4:14 in the morning. I'm continuing the interview. So you're responding to a 417 call?
EO: Yes.

MD: When you arrive and as you described it where you're a bit surprised to see the suspect there because you didn't know there was a table there?
EO: Yeah. I didn't know there was a table there. Yeah, I would say like, 'Oh there he is', as...I was pulling in and getting out of the car to contact him and we made pretty much eye contact. And he's standing up as I'm getting out and he, like I said, said something, 'Oh bullshit', 'No way' or something like that. And immediately brought the box cutter up in a threatening manner and started advancing towards me.

MD: Can you describe the lighting in the area at the time?
EO: Yeah, it's very bright. The lighting from the CVS illuminates the entire front of the store, almost, that I would describe as daylight lighting. It's very clear.

MD: Okay. Your lights were on your vehicle?
EO: Yes.

MD: Okay. Did you ever illuminate the suspect with a spotlight?
EO: No.

MD: Okay. The vehicle you were driving, it's a marked vehicle?
EO: Yes.

MD: Clearly marked, what kind?
EO: It's the SUV.

MD: Okay.
EO: Black and white.

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MD: Okay. And how were you dressed at the time?
EO: In full uniform.

MD: Full uniform as you are now?
EO: As I am now.

MD: Okay. So you see this person and did you believe he was the person from the radio call?
EO: Yes.

MD: Okay. That was threatening people with the box cutter and had chased someone into the store?
EO: Yes.

MD: And when you got out, he immediately pulled out the box cutter and advanced on you?
EO: Yes.

MD: Despite you giving him the opportunity to surrender and creating distance?
EO: Yes.

MD: Okay. And eventually he raised the knife to throw at you?
EO: Yes.

MD: And that's when you decided to fire?
EO: Yes.

MD: Okay. And can you...you told us earlier that you fired because you believed that you were in imminent danger?
EO: Yes.

MD: Okay. At what point did you stop firing?
EO: I fired two rounds and the...I fired the two rounds as he was in the throwing motion. And...

MD: Why did you stop firing?
EO: Because he didn't have the weapon in his hand any more.

MD: Okay. And you did not see any other obvious weapons at that point?
EO: No.

MD: That were a threat to you?
EO: No.

MD: Okay. Lieutenant?
MH: Eric, how long was it from the time that the suspect stood up to the time that the shooting occurred? Give or take?

EO: Give or take six to ten seconds.

MH: Okay. Did you know that he was going to throw that knife?

EO: Not when he stood up. All I knew was he was advancing on me. It was after he had advanced probably ten, fifteen feet that he brought his arm up in a throwing motion.

MD: Okay and then in that six to ten seconds, did you have an opportunity to use any other force option?

EO: No.

MH: That's it.

MD: Okay. Rick?

RP: Uh no. I think the only question was distance, but you got the hats out there, so you can measure that.

MD: Right.

MH: Were the headlights on the patrol car?

EO: Yes

MD: And it is 4:17 in the morning. We'll be ending this interview now.

END OF INTERVIEW AT 30:42

Reporting Detective Sergeant Matt Dobbs I.D. 5228 Homicide Team: III
Approved by: _____ Date of this report: 09-01-15 Time: 1745 Hrs.

☒ OFFICER'S REPORT ONLY

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

PAGE
1 OF 2

CASE NUMBER

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

MONTH

08

DAY

28

2015

DAY OF WEEK

FRIDAY

TIME

0015

LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER RD.

CITY

SAN DIEGO

BEAT

315

DISTRICT

—

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

ON 08-28-15, AT APPROXIMATELY 0015 HOURS, OFFICER HUMES (#6750) AND I WERE DESPATCHED TO ASSIST ON A CALL OF A MALE WITH A KNIFE IN FRONT OF THE CVS STORE AT 5644 MISSION CENTER RD. WHILE OFFICER HUMES AND I WERE ENROUTE TO THE CALL OFFICER OBERDORFER (#5672) REQUESTED URGENT COVER AND ADVISED SHOTS FIRED. I RESPONDED CODE 3, WITH LIGHTS AND SIREN ACTIVATED.

OFFICER HUMES AND I ARRIVED AT THE LOCATION AT APPROXIMATELY 0020 HOURS. I OBSERVED OFFICERS PROVIDING CPR TO A SUBJECT ON THE GROUND IN FRONT OF THE CVS STORE. I WAS DIRECTED BY SGT. SWADEN (#5753) TO CONTACT THE WITNESSES INSIDE OF THE CVS STORE AT 5644 MISSION CENTER RD. I CONTACTED

WITNESSES, [REDACTED] THE [REDACTED] WITNESSES WERE ALREADY

RATED INSIDE OF THE STORE. I SPOKE TO [REDACTED] AND I TOOK HER STATEMENT SEPARATELY FROM [REDACTED]

STATEMENT OF [REDACTED] (REPORTING PARTY/WITNESS):

IT WAS ABOUT 10:30 PM WHEN I FIRST SAW THE MALE SITTING IN FRONT OF THE STORE. HE WAS WEARING A BLACK SHIRT AND BLUE JEANS. I SPOKE TO THE [REDACTED] AND SHE TOLD ME THE MALE HAD NOT BEEN IN FRONT OF THE STORE VERY LONG AND THAT HE HAD PURCHASED 2 BOTTLES OF WINE EARLIER.

I WENT OUTSIDE OF THE STORE TO GET [REDACTED] AND HE WAS SITTING THERE QUIETLY. HE SAID, "HEU!" AS I WAS GETTING CARS. I WENT TO THE BACK OF THE STORE AND TOLD [REDACTED] WE WOULD PROBABLY NEED TO MOVE THEM ALONG. I CAME BACK TO THE FRONT OF THE STORE AND THE MALE WAS YELLING AND SCREAMING. I CALLED THE POLICE 5 MINUTES AFTER THAT. HE WAS STANDING NEXT TO THE CARS AND YELLING TOWARDS THE RAIS STORE.

REPORTING OFFICER

CITRAPPONE

I.D. #

7194

DIVISION

E3

APPROVED BY:

SGT SWADEN (#5753)

DATE OF REPORT:

MONTH

08

DAY

28

YEAR

2015

TIME

0530

STEPPED OUT OF THE STORE AND ASKED THE MALE, "WHAT'S UP?" I WAS STANDING BY THE FRONT DOOR WHEN I SAW THE MALE GRAB THE BOX CUTTER FROM THE TABLE.

HE CAME CHARGING AT [REDACTED] WITH THE BLADE OUT AND IN FRONT OF HIM. [REDACTED] CAME BACK INSIDE THE STORE. THE MALE WAS AT THE DOORWAY, I THOUGHT HE WAS GOING TO COME IN THE STORE. HE DIDN'T COME IN, HE HIT THE GLASS DOOR WITH HIS HAND, THEN KICKED. I CALLED THE POLICE AND STAYED ON THE LINE.

HE SAT DOWN OUTSIDE, THEN THREW A WINE BOTTLE INTO THE PARKING LOT. THEN HE LIT SOME PAPER ON FIRE AND THREW IT ON THE GROUND. A POLICE SUV PULLED UP AND DROVE OVER THE GLASS.

I SAW THE MALE GRAB A BOX CUTTER AND WALK TOWARDS THE POLICE CAR IN A FAST AND AGGRAVATED MANNER. HE HAD THE BOX CUTTER OUT IN FRONT OF HIM AND WAS ADVANCING TOWARDS THE CAR. I HEARD THE POLICE OFFICER YELLING FOR HIM TO, "STOP!" 3-4 TIMES. HE WAS STILL GOING TO THE CAR, YELLING, WITH THE KNIFE OUT.

THAT'S WHEN I HEARD THE GUNSHOTS. I HEARD 3 SHOTS, 2 CLOSE TOGETHER, THEN A THIRD. HE WALKED BACK TOWARDS THE STORE AND THEN WENT EAST. THE POLICE WERE YELLING FOR HIM TO, "GET DOWN ON THE GROUND."

[REDACTED] WERE STANDING AT [REDACTED] AND THEY SAID THAT THE MALE GOT SHOT. I WAS STANDING IN FRONT OF [REDACTED] BEHIND THE COCA-COLA MACHINE. I DIDN'T SEE THE MALE GET SHOT, I JUST HEARD THE SHOTS.

RELATED REPORTS:

SEE OFFICER HUMPHREY (H6750) ARJIS-9 FOR [REDACTED] STATEMENTS.

**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☐ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

INCH# 150800 49480

PAGE		CASE NUMBER	
OF			
MONTH	DAY	YEAR	DAY OF WEEK
08	28	15	FRIDAY
BEAT			DISTRICT
315			

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER

CITY

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

OFFICER STATEMENT:

ON 8-28-15 I RESPONDED TO A
CALL NOW AT 5446 MISSION CENTER CT. UPON
ARRIVAL I ASSISTED IN SETTING UP CRIME SCENE
TAPE. I WAS THEN TASKED WITH DOING WITNESS
CHECKS TO THE EAST OF THE CUR. ALL
BUSINESSES WERE CLOSED. I THEN STOOD
BY THE BODY UNTIL RELIEVED BY 3RD
WATCH OFFICER LEGRAND.

REPORTING OFFICER

E. Cooper

I.D. #

6523

DIVISION

E-2

APPROVED BY:

SGT A. SWANSON #753

DATE OF
REPORT:

MONTH

08

DAY

28

YEAR

15

TIME

☐ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

PAGE 1 OF 2	CASE NUMBER 15080049480			
MONTH 08	DAY 28	YEAR 2015	DAY OF WEEK FRI	TIME 0018
BEAT 315			DISTRICT	

E SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER ROAD

CITY

SAN DIEGO

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

OFFICER'S STATEMENT :

ON THE ABOVE DATE AND TIME I RESPONDED TO THE CVS STORE (5644 MISSION CENTER ROAD) PER A REPORT OF "SHOTS FIRED, COVER NOW!" BY OFFICER OBERNDORFER #5672.

UPON ARRIVAL, I PARKED MY PATROL VEHICLE AT THE WEST END OF THE SCENE (FENTON PARKWAY AND MISSION CENTER WAY).

I RAN TO THE FRONT OF THE CVS TO ASSIST OFFICERS WITH MEDICAL AID FOR THE MALE. SAN DIEGO PARAMEDIC UNIT #36 ARRIVED ON SCENE AND TOOK OVER MEDICAL AID.

I WAS ASSIGNED "SCRIBE" AT APPROXIMATELY 0025 HOURS.

OFFICER'S STATEMENT FOR POSSIBLE RELATED INCIDENT :

ON 08/27/2015, AT 2206 HOURS, I RESPONDED TO 7610 HAZARD CENTER DRIVE PER A REPORT OF A POSSIBLE ARSON IN PROGRESS. (INCIDENT #15080049276).

THE CALL STATED A MALE WAS USING A CIGARETTE TO LIGHT CEDAR CHIPS ON FIRE. PER THE REPORTING PARTY, [REDACTED] THE CEDAR CHIPS WERE SMOLDERING AND IT WAS CREATING LOTS OF SMOKE. THE MALE WAS DESCRIBED AS A WHITE MALE, EARLY 50'S, MEDIUM BUILD, WEARING A BLACK T-SHIRT AND KHAKI SHORTS.

UPON ARRIVAL I SPOKE WITH [REDACTED] WHO INFORMED ME

REPORTING OFFICER A. FIORILLO	I.D. # 7205	DIVISION E/3	APPROVED BY: SGT SWANSON #1578	MONTH 08	DAY 28	YEAR 15	TIME 0300
DATE OF REPORT:							

THE SUBJECT LEFT THE LOCATION WALKING EASTBOUND ON
AZARD CENTER DRIVE.

I SPOKE WITH THREE SECURITY GUARDS WHO INFORMED ME
THEY HAD DEALT WITH THE SAME MALE IN THE PAST. THE
FEMALE SECURITY GUARD GAVE ME A DESCRIPTION OF THE
SUBJECT THAT DIFFERED SLIGHTLY FROM THAT OF [REDACTED]
SHE TOLD ME THE SUBJECT WAS WEARING BLUE JEANS INSTEAD
OF KHAKI SHORTS. I INFORMED SECURITY TO CALL POLICE
IF THE SUBJECT RETURNS. SECURITY ALSO INFORMED ME
THE SUBJECT CARRIES A BOXCUTTER KNIFE.

I CHECKED THE AREA FOR THE SUBJECT BUT WAS UNABLE
TO LOCATE HIM.

☐ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER _____

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

PAGE 1 OF 1				CASE NUMBER				
SECTION AND DESCRIPTION (ONE INCIDENT ONLY)				MONTH 08	DAY 28	YEAR 2015	DAY OF WEEK FRIDAY	TIME 0011
LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CENTER RD SD				CITY		BEAT 315		DISTRICT
PERSON(S) INVOLVED: VICTIM				SUSPECT (IF NAMED)			PROPERTY TAG NO. (S)	

OFFICER'S STATEMENT:

ON 08-28-2015, AT APPROXIMATELY 0016 HOURS, I RESPONDED TO A, "COVER NOW" "SHOTS FIRED" CALL AT 5644 MISSION CENTER ROAD. I RESPONDED FROM TRAFFIC DIVISION, ARRIVING AT APPROXIMATELY 0024 HOURS. WHEN I ARRIVED, I TOOK A TRAFFIC CONTROL POST LOCATED AT MISSION CENTER ROAD AND MISSION CENTER DRIVEWAY. I RELIEVED UNIT 352Q3, OFFICER R. QUINN #6390 AND OFFICER J. JAUREQUE #6382. I STAYED AT THIS POST UNTIL 0226 HOURS.

REPORTING OFFICER	I.D. #	DIVISION	APPROVED BY:	MONTH	DAY	YEAR	TIME
C. GARCIA	6366	T-AIB	SGT SWADEN #5151	08	28	15	0842



☒ OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.

FROM ☐ CRIME

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SAN DIEGO REGIONAL
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CASE NUMBER

15080049480

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

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28

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DAY OF WEEK

FRI

TIME

0011

LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER RD

CITY

SAN DIEGO

BEAT

315

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

ORIGIN / OFFICER STATEMENT:

ON 8/28/15 AT 0016 HOURS, I RESPONDED TO 5644 MISSION CENTER FOR AN OFFICER INVOLVED SHOOTING. AS I ARRIVED ON SCENE AT 0016 HOURS I USED MY PATROL CAR TO BLOCK THE WEST SIDE OF THE PARKING LOT NEAR THE BEV MO STORE. I WENT TO ASSIST OFFICER LEGRAND WITH FIRST AID ON A SUBJECT IN FRONT OF THE CVS STORE. WHILE OFFICER LEGRAND WAS CONDUCTING CPR, I ATTEMPTED TO LOCATE A PULSE ON THE SUBJECT. I COULD NOT LOCATE A PULSE. I CHECKED THE SUBJECTS FRONT LEFT POCKET AND LOCATED A WALLET WITH IDENTIFICATION. I GAVE THE IDENTIFICATION TO OFFICER FIORILLO #7205. I WAS LATER ASSIGNED TO MANAGE THE UNITS ON THE PERIMETER OF THE SCENE. I WAS RELEASED FROM THE SCENE AT 0400 HOURS.

REPORTING OFFICER

I.D. #

DIVISION

APPROVED BY:

MONTH

DAY

YEAR

TIME

Heller

5400

EJ

DATE OF
REPORT:


**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☐ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER _____

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SECTION AND DESCRIPTION (ONE INCIDENT ONLY)		MONTH <u>08</u>	DAY <u>28</u>	YEAR <u>15</u>	DAY OF WEEK <u>FRI</u>	TIME
LOCATION OF INCIDENT (OR ADDRESS) <u>5644 MISSION CENTER</u>		CITY <u>S.D.</u>			BEAT <u>315</u>	DISTRICT
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)			PROPERTY TAG NO. (S)	

OFFICER'S STATEMENT: ON 08-28-15 I RESPONDED TO AN OFFICER'S REQUEST FOR COVER AT THE CVS ON MISSION CENTER ROAD. WHEN I ARRIVED I USED MY POLICE VEHICLE TO BLOCK THE NORTH ENTRANCE TO THE PARKING LOT BETWEEN PARADISE YOGURT AND FLOYD'S BARBERSHOP. I REMAINED AT THAT POST AS THE SCENE WAS ROPED OFF. I NEVER ENTERED THE ROPED OFF PORTION OF THE SCENE

REPORTING OFFICER <u>D. HODGES</u>	I.D. # <u>52415</u>	DIVISION <u>E-2</u>		<u>5379</u>	DATE OF REPORT:	MONTH <u>08</u>	DAY <u>28</u>	YEAR <u>15</u>	TIME <u>0100</u>
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ARJIS - 9 (REV. 9-84) 22037129 CONTINUED ☐



OFFICER'S REPORT ONLY

SAN DIEGO REGIONAL
OFFICER'S REPORT
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ARR./JUV.CON.

FROM ☐

CRIME



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1H#49480

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

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2015

DAY OF WEEK

FRIDAY

TIME

0018

LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER RD.

CITY

S.D.

BEAT

315

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

OFFICER'S REPORT: ON THE ABOVE DATE AND TIME I RESPONDED TO

A RADIO CALL OF WMA IN FRONT OF CVS LOCATED AT 5644 MISSION CENTER RD.

THE DISPATCHER STATED THE WMA WAS ALITATED, SLEEPING AND CHARGED AT

CVS EMPLOYEES WITH A BAK CUTTER, FOLLING THEM INSIDE OF THE STORE.

WHILE DRIVING TO THE CALL, I HEARD AN OFFICER TRANSMIT OVER THE RADIO HE

WAS ONSCENE. SECONDS LATER I HEARD "SHOTS FIRED! (OVER NOW)" TRANSMITTED

OVER THE RADIO. I ACTIVATED MY LIGHTS & SIRENS AND ARRIVED IN THE SCENE

WITHIN ONE OR TWO MINUTES. I PULLED IN FRONT OF THE CVS & SAW

OFFICER OBERNDORFER #5672 STANDING NEXT TO A HANDICAPPED SUBJECT

LYING ON HIS BACK IN FRONT OF THE CLOSED DOORS TO THE CVS. I ASKED

OFFICER OBERNDORFER IF HE WAS INJURED AND HE REPLIED "NO". I ASKED

OFFICER OBERNDORFER SAFETY QUESTIONS; "HOW MANY ROUNDS DID YOU FIRE?"

AND DO YOU KNOW WHERE THE ROUNDS WENT? OFFICER OBERNDORFER RESPONDED

"I SHOT TWO ROUNDS AND THEY BOTH HIT THE SUSPECT, ONE IN HIS SIDE AND ONE

IN HIS LEG." I CHECKED THE SUSPECT FOR WEAPONS AND ASSISTED OFFICER

OBERNDORFER IN UNHANDCUFFING HIM SO WE COULD ADMINISTER FIRST AID.

ADDITIONAL UNITS ARRIVED AND BEGAN CPR. I MOVED MY CAR SO MEDICS & FIRE

COULD HAVE BETTER ACCESS TO THE SUSPECT. I WALKED OFFICER OBERNDORFER AWAY

FROM THE SCENE AND STAYED WITH HIM UNTIL HE WAS ESCORTED AWAY TO EMERGENCY

DIVISION BY SGT. McDONALD.

REPORTING OFFICER

SGT. HOLSHAG

I.D. #

5386

DIVISION

K9

APPROVED BY:

DATE OF REPORT:

MONTH

08

DAY

28

YEAR

2015

TIME

0045

☒ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

SAN DIEGO REGIONAL
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NARRATIVE

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LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER ROAD

CITY

SAN DIEGO

BEAT

315

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

OFFICER'S NARRATIVE:

ON 08-28-15, AT ABOUT 0015 HOURS, OFFICER CHIAPPONE ID# 7194 AND I RESPONDED TO ASSIST AN OFFICER WHO NEEDED EMERGENCY ASSISTANCE AT THE CVS STORE LOCATED AT 5644 MISSION CENTER ROAD, SAN DIEGO, CA. THE INITIAL RADIO CALL INVOLVED A WHITE, MALE TRANSIENT WHO BRANDISHED A BOX CUTTER AT A [REDACTED] AND CHASED HIM INSIDE THE STORE.

OFFICER CHIAPPONE AND I ARRIVED ON SCENE AT ABOUT 0020 HOURS, WHERE PARAMEDICS AND OFFICERS WERE ADMINISTERING FIRST AID TO A MALE LAYING ON HIS BACK INSIDE OF THE STORE.

SGT. A. SWADENER ID# 5753 DIRECTED OFFICER CHIAPPONE AND I TO KEEP THE [REDACTED] SEPARATED. OFFICER CHIAPPONE SPOKE TO THE REPORTING PARTY, [REDACTED] SEE HIS ARTIS-9 FOR FURTHER DETAILS. I SPOKE TO [REDACTED] SEPARATELY. SEE THEIR STATEMENTS BELOW.

STATEMENTS:

STATEMENT OF [REDACTED] (WITNESS):

[REDACTED] TOLD ME HE WAS [REDACTED] INSIDE THE CVS WHEN HE HEARD TWO GUN SHOTS. THE MALE LAYING

REPORTING OFFICER	I.D. #	DIVISION	APPROVED BY:	DATE OF REPORT:	MONTH	DAY	YEAR	TIME
HUMES, M.	6750	E3	SGT SWADENER #5753	08	28	15	0300	

ON THE GROUND OUTSIDE OF THE CVS WAS A REGULAR CUSTOMER WHO FREQUENTLY BOUGHT ALCOHOL. [REDACTED] DID NOT SEE THE INTERACTION BETWEEN HIS [REDACTED] AND THE MALE. HE ONLY HEARD HIS [REDACTED] TALKING ABOUT A WHITE MALE TRANSIENT CAUSING A DISTURBANCE OUTSIDE.

STATEMENT OF [REDACTED] (WITNESS):

[REDACTED] TOLD ME HE WAS THE [REDACTED] AT THE CVS STORE, ALONG WITH [REDACTED] THERE WAS A WHITE MALE, POSSIBLY HOMELESS, WHO CAME INSIDE THE STORE AND BOUGHT 2 BOTTLES OF WINE. THE MALE LINGERED JUST OUTSIDE OF THE STORE AND WAS SCREAMING AND YELLING INCOHERENTLY FOR UNKNOWN REASONS. [REDACTED] COULD NOT MAKE OUT ANY SPECIFIC VERBIAGE, ONLY THAT HE SCREAMED AND YELLED AT CUSTOMERS AS THEY WALKED BY.

[REDACTED] WENT OUTSIDE TO ASK THE MALE TO LEAVE. THE MALE WAS SITTING AT A SMALL TABLE DIRECTLY OUTSIDE OF THE CVS FRONT DOORS. [REDACTED] DID NOT WANT TO CONFRONTATIONAL WITH THE MALE AND SAID, "HEY MAN. WHAT'S GOING ON?" BEFORE [REDACTED] COULD CONTINUE, THE MALE YELLED, "YOU KNOW WHAT!" AND PICKED UP A GREEN OR DARK COLORED BOX CUTTER FROM THE TABLE AND STOOD UP. [REDACTED] IMMEDIATELY RECOGNIZED IT AS A BOX CUTTER SINCE HE USES ONE FOR WORK FREQUENTLY. [REDACTED] WAS UNSURE IF THE BLADE WAS OUT. [REDACTED] RAN INSIDE, FEARING HE WOULD BE STABBED. THE MALE FOLLOWED HIM, WITH THE BOX CUTTER IN HAND. THE MALE DID NOT ENTER THE STORE AFTER [REDACTED] BUT BEGAN KICKING AND PUNCHING THE WINDOWS AND DOORS OF

☒ OFFICER'S REPORT ONLY

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

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FROM ☐ CRIME

☐ OTHER

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LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER ROAD

CITY

SAN DIEGO

BEAT

315

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

THE EXTERIOR OF THE BUSINESS, "BEING CRAZY DRUNK." [REDACTED] RAN TO [REDACTED] FOR SAFETY AND [REDACTED] CALLED 911. THEY WERE NOT ABLE TO SECURE THE FRONT DOORS OF THE BUSINESS FOR SAFETY. WHILE THEY WAITED FOR POLICE, THE MALE CONTINUED TO PUNCH AND KICK THE EXTERIOR OF THE WINDOWS AND DOORS OF THE CVS.

HE DID NOT SEE THE INTERACTION WITH THE OFFICER AND MALE. HE ONLY HEARD 2 GUN SHOTS.

REPORTING OFFICER

HUMES

I.D. #

6750

DIVISION

E3

APPROVED BY:

SGT Swadlow #5753

MONTH

08

DAY

28

YEAR

15

TIME

0300

DATE OF REPORT:

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SAN DIEGO REGIONAL
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NARRATIVE

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FROM ☐ CRIME

☐ OTHER _____

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LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER ROAD

CITY

SAN DIEGO

BEAT

315

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

ON 08/28/2015, AT 0019 HOURS, OFFICER R. QUINN #6390 AND I RESPONDED TO 5644 MISSION CENTER ROAD REGARDING AN URGENT REQUEST FOR COVER. OFFICERS ON SCENE REPORTED "SHOTS FIRED" AT THE LOCATION. WE ARRIVED ON SCENE AT 0020 HOURS AND TOOK A TRAFFIC POST AT MISSION CENTER ROAD AND MISSION CENTER DRIVEWAY. WE CONDUCTED TRAFFIC CONTROL AT THE INTERSECTION AND DID NOT ALLOW ANY VEHICLES OR PEDESTRIANS INTO THE PARKING LOT. WE WERE RELIEVED BY OFFICER C. GARCIA #6366 AT 0110 HOURS.

REPORTING OFFICER

J. AUREGIM

I.D. #

6382

DIVISION

EAST

5379

DATE OF REPORT:

MONTH

08

DAY

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YEAR

15

TIME

0130

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FROM ☐ CRIME
☐ OTHER

SAN DIEGO REGIONAL
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NARRATIVE

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SECTION AND DESCRIPTION (ONE INCIDENT ONLY) OFFICER INVOLVED SHOOTING	MONTH 08	DAY 28	YEAR 2015	DAY OF WEEK FRI	TIME 0011
LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CENTER RD			CITY SAN DIEGO	BEAT 315	DISTRICT
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)		PROPERTY TAG NO. (S)	

OFFICER STATEMENT:

ON 8-28-2015 AT ABOUT 0011 HOURS, I HEARD A RADIO CALL OF A MALE THREATENING PEOPLE WITH A BOX-CUTTER OUT IN FRONT OF THE CVS STORE. THE STORE IS LOCATED AT 5644 MISSION CENTER RD. I AM ASSIGNED TO THE CANINE UNIT, SO DUE TO THE NATURE OF THE CALL I BEGAN HOMING TO THE CALL. I HEARD OFFICER OBERNDORFER #SC72 ARRIVE ON SCENE. WITHIN SECONDS I HEARD OFFICER OBERNDORFER ADVISE OVER THE RADIO, "COULD NOW, SHOTS FIRED." I ACTIVATED MY OVERHEAD EMERGENCY LIGHTS AND SIREN AND CONTINUED TO THE SCENE. I ARRIVED A FEW MINUTES LATER AND SAW CPR BEGUN STARTED. I ASSISTED WITH SCENE CONTAINMENT AND STOOD BY WITH OFFICER OBERNDORFER UNTIL HE WAS TRANSPORTED FROM THE SCENE UP TO EASTERN DIVISION. I CLEARED FROM THE SCENE AT 0300 HOURS.

REPORTING OFFICER LEACH	I.D. # 4998	DIVISION K-9	APPROVED BY: SGT SWADZNER #573	DATE OF REPORT: 08 28 2015	MONTH 08	DAY 28	YEAR 2015	TIME 0230
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☒ OFFICER'S REPORT ONLY

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

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SECTION AND DESCRIPTION (ONE INCIDENT ONLY) OIS	MONTH 8	DAY 28	YEAR 15	DAY OF WEEK FRI	TIME 0016
LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CENTER ROAD SAN DIEGO				BEAT 315	DISTRICT
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)		PROPERTY TAG NO. (S)	

OFFICER'S INVESTIGATION

ON 8-28-15, I RESPONDED TO THE ABOVE LISTED LOCATION TO ASSIST WITH AN OFFICER INVOLVED SHOOTING. UPON ARRIVAL, I CHECKED FOR THE SUSPECT'S PULSE AND DID NOT FEEL A PULSE. I BEGAN PERFORMING CPR UNTIL PARAMEDICS ARRIVED AND TOOK OVER CHEST COMPRESSIONS. I WAS ASSIGNED TO LOOK FOR ANY EVIDENCE AT THE SCENE. I LOCATED TWO SPENT 9MM CASINGS BEHIND THE INVOLVED OFFICER'S PATROL CAR. I PLACED A PD-145 PAPER BY BOTH CASINGS TO MARK THEIR LOCATION. I LOCATED A BOX CUTTER ON THE GROUND NEXT TO WHAT APPEARED TO BE AN ALREADY DISCHARGED BULLET ON THE GROUND NEXT TO THE DRIVER'S SIDE OF THE PATROL VEHICLE. I PLACED A PD-145 PAPER NEXT TO BOTH OF THOSE OBJECTS AS WELL.

REPORTING OFFICER LEGUANO	I.D. # 6198	DIVISION E-3	APPROVED BY: SGT SWADLOW #5753	DATE OF REPORT:	MONTH 8	DAY 28	YEAR 15	TIME 0140
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☒ OFFICER'S REPORT ONLY

SAN DIEGO REGIONAL
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CONTINUED: ☐ ARR./JUV.CON.

FROM ☐ CRIME

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DAY

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15

DAY OF WEEK

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TIME

0011

LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER ROAD

CITY

SAN DIEGO

BEAT

315

DISTRICT

PERSON(S) INVOLVED: VICTIM

OBERNDORFER, ERIC

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

OFFICER'S STATEMENT

I RESPONDED TO 5644 MISSION CENTER ROAD, THE CVS PHARMACY, TO ASSIST OFFICER OBERNDORFER #5672.

OFFICER OBERNDORFER RESPONDED TO A 417 PC CALL.

HE BROADCASTED SHOTS FIRED AND REQUESTED URGENT ASSISTANCE. I ARRIVED ONSCENE AT 0021 HOURS.

UPON ARRIVAL, I SAW TWO OFFICERS PERFORMING C.P.R. ON A MALE LAYING ON THE CONCRETE IN FRONT OF THE C.V.S. PHARMACY. I DIRECTED AN OFFICER TO PUT UP CRIME SCENE TAPE.

SERGEANT SWADENGE #5753 DIRECTED ME TO TRANSPORT OFFICER OBERNDORFER TO EASTERN DIVISION. I PLACED OFFICER OBERNDORFER IN MY VEHICLE AND TOOK HIM TO EASTERN DIVISION. WE LEFT THE SCENE AT 0029 HOURS. WE ARRIVED AT 0037 HOURS. I STAYED WITH OFFICER OBERNDORFER UNTIL SERGEANT NICK NGUYEN #6179, PEER SUPPORT, AND P.O.A. ATTORNEY RICK PINKARD ARRIVED AT EASTERN DIVISION. I WAS RELEASED BY LT. MIKE SWANSON #5860 AT 0030 HOURS.

REPORTING OFFICER

R. McDONALD

I.D. #

4657

DIVISION

E-3

5379

DATE OF REPORT:

MONTH

8

DAY

28

YEAR

15

TIME

0300

**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

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CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
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LOCATION OF INCIDENT (OR ADDRESS) <u>5644 MISSION CENTER</u>	CITY <u>SAN DIEGO</u>	BEAT <u>315</u>	DISTRICT
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PERSON(S) INVOLVED: VICTIM	SUSPECT (IF NAMED)	PROPERTY TAG NO. (S)
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OFFICER STATEMENT:

ON 8-28-15, AT ABOUT 0016 HOURS, I HEARD OVER THE RADIO OF "SHOTS FIRED" AT 5644 MISSION CENTER, SAN DIEGO. I RESPONDED LIGHTS (RED + BLUE) AND SIRENS TO ASSIST ON THE RADIO CALL. I TOOK A PERIMETER POSITION TO THE EAST OF THE SCENE BETWEEN FLOYD'S BARBER SHOP AND FLAME BROILER. I TOOK THE POSITION AT 0022 HOURS.

REPORTING OFFICER <u>ME SCALANTE</u>	I.D. # <u>5651</u>	DIVISION <u>E-3</u>		DATE OF REPORT:	MONTH <u>08</u>	DAY <u>28</u>	YEAR <u>15</u>	TIME <u>0130</u>
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**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☒ OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.

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MONTH 08	DAY 28	YEAR 15	DAY OF WEEK FRIDAY	TIME
LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CTR			BEAT 315	DISTRICT
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)		PROPERTY TAG NO. (S)

ON 08/28/15 AT APPROXIMATELY 0011 HOURS I RESPONDED TO 5644 MISSION CENTER TO ASSIST 313J WHO REQUESTED "CONCERN NOW". UPON ARRIVAL, I SAW AN UNKNOWN MALE LYING ON THE GROUND IN FRONT OF CVS. I ALSO NOTICED 313J'S PATROL VEHICLE PARKED IN FRONT OF CVS. PARAMEDICS WERE ON SCENE ADMINISTERING CPR ON THE MALE ON THE GROUND. I WAS DIRECTED TO SECURE THE PARKING LOT WITH POLICE TAPE. I TAPED OFF THE PARKING LOT DIRECTLY SOUTH NORTH OF THE CVS STORE.

REPORTING OFFICER ROBLES	I.D. # 6606	DIVISION E-2	DATE OF REPORT: 08 28 15 0115
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**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☐ OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.

FROM ☐ CRIME

☐ OTHER _____

PAGE 1 OF 1		CASE NUMBER	
MONTH 08	DAY 28	YEAR 15	DAY OF WEEK FRI
CITY SAN DIEGO		BEAT 315	DISTRICT 0022

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER RD

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

OFFICER'S STATEMENT:

ON 08/28/15 AT 0022 HOURS, I ARRIVED AT 5644 MISSION CENTER ROAD TO ASSIST WITH THE COVER NOW. I WAS IN FULL UNIFORM AND IN A MARKED PATROL VEHICLE. UPON MY ARRIVAL, I CONTACTED ACTING SERGEANT P. WELER @ 5400 NEAR THE CVS STORE. I WAS TOLD TO ASSIST OFFICERS WITH BLOCKING OFF TRAFFIC THAT COULD ENTER FROM THE NORTH SIDE OF THE PARKING LOT. I BLOCKED OFF THE ENTRANCE JUST EAST OF FLOYD'S BARRER SHOP.

REPORTING OFFICER

I.D. #

DIVISION

ROMBERGER

6394

E3

6379

DATE OF REPORT:

MONTH

DAY

YEAR

TIME

08

28

15

0130

CONTINUED ☐

**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☒ OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.

FROM ☐ CRIME

☐ OTHER _____

PAGE 1 OF 1

CASE NUMBER

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

MONTH

08

DAY

28

YEAR

2015

DAY OF WEEK

FRI

TIME

0011

LOCATION OF INCIDENT (OR ADDRESS)

5644 MISSION CENTER DR.

CITY

SAN DIEGO

BEAT

315

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

ORIGIN: ON 08/28/2015, AT APPROXIMATELY 0011 HOURS, I WAS LOCATED AT EASTERN DIVISION FINISHING A REPORT. A "COVER NOW" CAME OUT OVER THE RADIO FROM 313J3 (UNIT DESIGNATOR) AT 5644 MISSION CENTER DRIVE.

OFFICER'S STATEMENT: IMMEDIATELY AFTER THE "COVER NOW" CALL CAME OUT, I RAN TO MY PATROL CAR AND BEGAN DRIVING TOWARD THE INCIDENT LOCATION. I ACTIVATED MY LIGHTS AND SIRENS (EMERGENCY) DUE TO 313J3 STATING "SHOTS FIRED" OVER THE AIR.

I ARRIVED IN THE PARKING LOT AND BEGAN SECURING THE PERIMETER WITH CRIME SCENE TAPE. I REMAINED ON THE PERIMETER TO PROVIDE SECURITY FOR THE SCENE.

REPORTING OFFICER

I.D. #

DIVISION

A. SULTAN

1278

E2

5379

DATE OF REPORT:

MONTH

08

DAY

28

YEAR

2015

TIME

0115

ARJIS-9 (REV. 9-84)

CONTINUED ☐



☒ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

PAGE 1 OF 1 CASE NUMBER

SECTION AND DESCRIPTION (ONE INCIDENT ONLY) MONTH AUG DAY 28 YEAR 2015 DAY OF WEEK FRI TIME 0019

LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CENTER RD CITY SAN DIEGO BEAT 315 DISTRICT

PERSON(S) INVOLVED: VICTIM SUSPECT (IF NAMED) PROPERTY TAG NO. (S)

ON 08-28-2015 AT 0019 HOURS, OFC J. JAUREGUI #6382 AND I (35203) WERE ON DUTY AND IN FULL POLICE UNIFORM. WE WERE DRIVING IN A MARKED PATROL VEHICLE. WE ASSISTED EASTERN DIVISION PATROL OFFICERS WHO RESPONDED TO A SUBJECT BRANDISHING A WEAPON (417 P.C.). UNIT 31353 NOTIFIED SDPD DISPATCH OF "SHOTS FIRED". OFC. JAUREGUI AND I ARRIVED AT THE ENTRANCE TO THE PARKING LOT AT MISSION CENTER DR AND WESTSIDE DR FOR TRAFFIC CONTROL. OFC JAUREGUI AND I WERE RELIEVED BY OFC P. GARCIA #6366 AT OUR POST AT 0100 HRS.

REPORTING OFFICER R. QUINN I.D. # 6390 DIVISION E3 5371 DATE OF REPORT: MONTH 08 DAY 28 YEAR 15 TIME 0130

☒ OFFICER'S REPORT ONLY

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

PAGE 1	OF 2	CASE NUMBER 15080049480
DAY OF WEEK FRIDAY	TIME 0017	
BEAT 315	DISTRICT	

SECTION AND DESCRIPTION (ONE INCIDENT ONLY) 015 - OFFICER INVOLVED SHOOTING	MONTH 08	DAY 28	YEAR 15
LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CENTER RD	CITY SAN DIEGO		
PERSON(S) INVOLVED: VICTIM	SUSPECT (IF NAMED)	PROPERTY TAG NO. (S)	

ON 08-28-15, AT 0016 HOURS, I RESPONDED TO A CALL OF SHOTS FIRED AHEAD BY OFFICER OBERNDORFER #5672 AT 5644 MISSION CENTER RD. I WAS BEHIND THREE OTHER OFFICERS AND WHEN THEY EXITED AT MISSION CENTER I DECIDED TO HEAD TO THE WEST SIDE AND BLOCK OFF THE ENTRANCE OFF OF FRAZEE ROAD. I POSITIONED MY CAR ACROSS THE ENTRANCE AND WALKED TOWARDS THE SCENE ON FOOT.

I SAW A CAR DRIVE PAST THE SCENE ON THE SOUTH SIDE OF THE LOT. I CONTACTED THE DRIVER [REDACTED] AND ASKED IF HE HAD SEEN OR HEARD ANYTHING. [REDACTED] SAID HE LEFT THE RALPH'S IN THE SAME CENTER AND WAS HEADED TO THE CVS. [REDACTED] SAID HE SAW THE POLICE CARS AND DECIDED TO KEEP DRIVING. [REDACTED] SAID HE DID NOT SEE OR HEAR ANYTHING. [REDACTED] REMAINED AT THE SCENE UNTIL LT. BEHRENDT #4528, SAID IT WAS OK TO RELEASE HIM.

AFTER STOPPING [REDACTED] AND HAVING HIM WAIT I CONTINUED TO THE FRONT OF THE CVS. I SAW OFFICERS PERFORMING CPR, AND OTHER OFFICERS PUTTING UP CRIME SCENE TAPE. I SAW OFFICER OBERNDORFER WALKING AROUND HIS VEHICLE. I TOOK HIM BY THE ARM TO WALK HIM AWAY. HE ASKED ME TO CHECK HIS TIRES AND WENT BACK TO HIS TRUCK. I FOLLOWED AND HE WALKED HIM AWAY AGAIN. SGT. SWADNER ARRIVED AND EXITED OFF OBERNDORFER ELSEWHERE. I SAW THE CHALK CHALKED MARKED THE TIRES.

→ OVER

REPORTING OFFICER B. MOORE	I.D. # 5556	DIVISION E-3	APPROVED BY: SGT SWADNER #5753	DATE OF REPORT:	MONTH 08	DAY 28	YEAR 15	TIME 0429
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AFTER THAT I RETURNED TO MY CAR AND CONTINUED TO
BY THE TRAFFIC, UNTIL THE SCENE WAS SHORTENED. AT
THAT TIME I MOVED MY VEHICLE TO AN INNER PERIMETER
AND MAINTAINED A POST THERE

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occur): August 28, 2015
TIME (occur): 0016 Hours
LOCATION: 5644 Mission Center Road, San Diego, CA
SUBJECT: OIS/Special Investigation
245(a)(1) PC, Assault with a Deadly Weapon
SDPD Case # 15-037226; Incident # 15-080049480
Officer: OBERNDORFER, Eric # 5672
Suspect: HOBBER, Robert (54) 9-20-60

A/SERGEANT STATEMENT:

On 8-28-15, at approximately 0020 hours, I responded to an Officer Involved Shooting (OIS) radio call regarding a violent disturbance at the CVS Pharmacy, 5644 Mission Center Road near Friars Road. At the time of the radio call, several officers and I were at Eastern Substation preparing to leave for the end of our shift. Incident # 15-080049480.

On my arrival I drove into the large parking lot and parked approximately 200 feet south east of the store entrance. I noticed Fire and Medics at the scene. I spoke to Sergeant SWADNER # 5753 who was assigned to the incident. I saw Officer OBERNDORFER with other officers including K9 Sergeant Scott HOLSLAG and Sergeant Bob McDONALD near his patrol vehicle. Officer OBERNDORFER was visibly shaken.

I also noticed paramedics conducting CPR on a heavy set male (suspect) later identified as Robert HOBBER near the entrance of the store. HOBBER was subsequently pronounced deceased at the scene.

Sergeant SWADNER asked me to assist patrol officers in checking the area for any potential witnesses. I noticed a car near the south west entrance of the parking lot with an unknown driver. I asked Officer COOPER # 6523 to conduct a Field Interview (FI) of the driver and determine if they were a witness to the shooting. See A-9 by Officer COOPER for witness statements.

I then assisted in following up inside the CVS Pharmacy. I noticed two patrol officers speaking to two separate [REDACTED] including the store manager. A third [REDACTED] was standing near the entrance of the store and told me he had provided his name and information to one of the officers inside. This [REDACTED] told me he did not witness the incident. There were no customers inside

Reporting Officer: G. Avalos ID# 5323 Division: Eastern 02
Approved By: _____ Date of Report: 08/28/15 Time: 1900 Hours

the store at this time [REDACTED]

I explained to the officer and [REDACTED] that the store would have to be closed for the duration of the crime scene investigation. I also asked the [REDACTED] if there were any video surveillance cameras. The [REDACTED] told me yes including the camera located on the ceiling near the entrance of the interior of the store as customers walk inside. I noticed the camera was pointed toward the front door. The [REDACTED] told me there were no outside cameras that she knew of.

At approximately 0043 hours, Sergeant SWADNER asked me to take Officer OBERNDORFER's lunch box from his patrol vehicle and take it to him at the Eastern Substation. [REDACTED]

I retrieved the lunch box from the back compartment of the patrol vehicle and drove it to Officer OBERNDORFER at Eastern Division. I returned to the scene at approximately 0125 hours where I waited with several officers at the east end of the store and parking lot.

I was relieved from the scene by Lieutenant Andra BROWN at approximately 0230 hours.

Approved By: Sergeant Bill BROWN # 5379

**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☐ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER _____

PAGE 1 OF 2			CASE NUMBER	
MONTH 08	DAY 28	YEAR 15	DAY OF WEEK FRIDAY	TIME 0015
LOCATION OF INCIDENT (OR ADDRESS) 5644 MISSION CTR RD			CITY S.D.	DISTRICT -

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

LOCATION OF INCIDENT (OR ADDRESS)

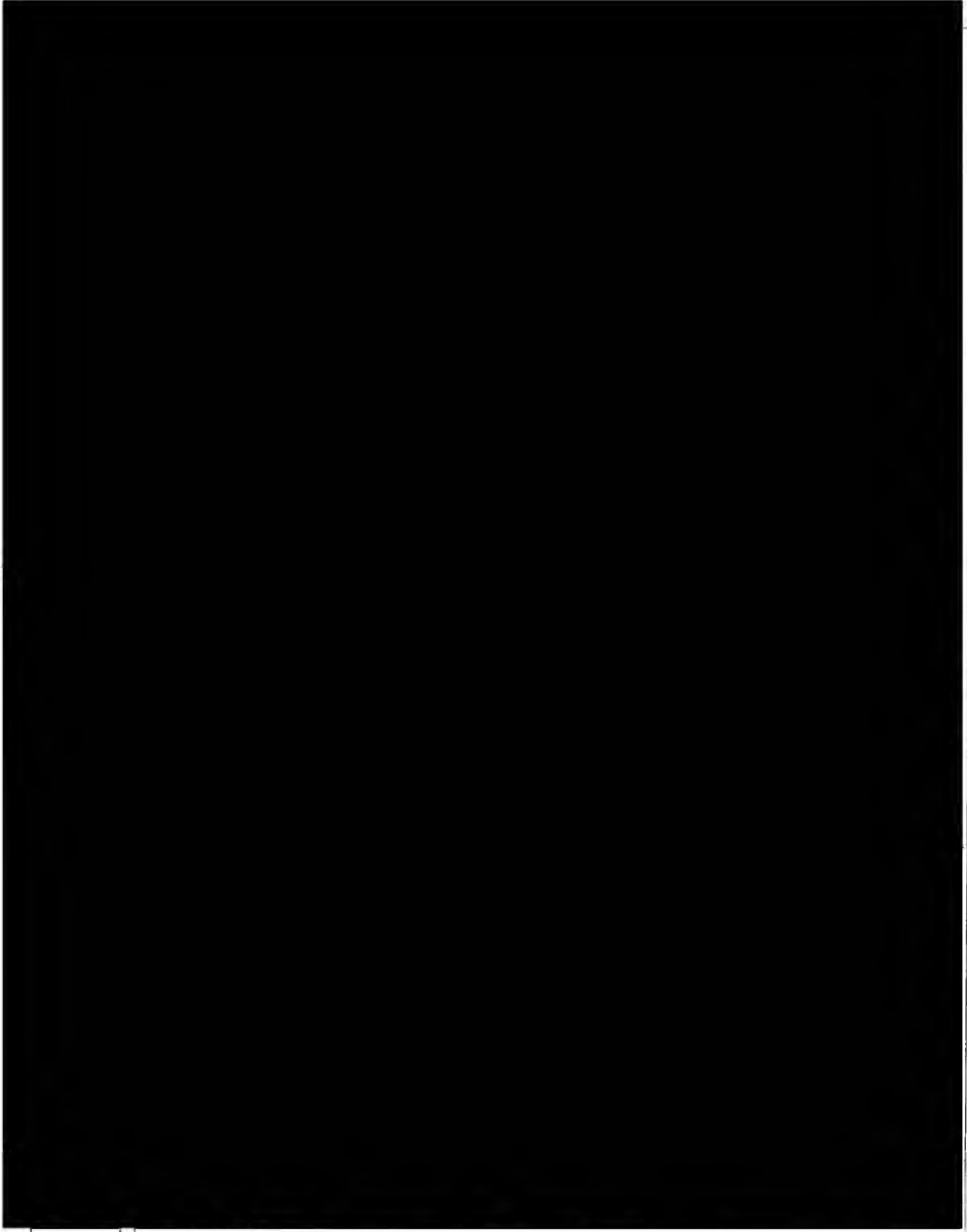
PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

ON 08/28/15, AT ABOUT 0030 HOURS, I RESPONDED TO ASSIST WITH AN OFFICER INVOLVED SHOOTING INVESTIGATION AT 5644 MISSION CENTER ROAD. I ARRIVED AND CHECKED IN WITH THE INCIDENT COMMANDER, SERGEANT SWADENER. I RETRIEVED A PRINTOUT OF THE INCIDENT AND HELPED SECURE THE EAST SIDE OF THE SCENE. I COLLECTED REPORTS FROM OFFICERS AT THE SCENE AND SECURED.

REPORTING OFFICER B. BROWN	I.D. # 5379	DIVISION E-2	APPROVED BY:	DATE OF REPORT:	MONTH 08	DAY 28	YEAR 15	TIME 0120
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THE CITY OF SAN DIEGO

IN REPLYING
PLEASE GIVE
OUR REF. NO.

December 10, 2015

Paramedic Records
San Diego Fire-Rescue Department
1010 2nd Avenue, Suite 400
San Diego, CA 92101
Records Request Line: [REDACTED]
E-mail address: [REDACTED]

The San Diego Police Department is conducting an officer involved shooting, case number #15-037227, that occurred on August 28, 2015 in the City of San Diego. I am requesting all paramedic records and radio & phone communications related to the incident.

Date: 8/28/15
Time: 0015
Location: 5644 Mission Center Rd
SDPD CAD incident #15080049480

Patient: Robert Hober was pronounced deceased at the scene by Medic Unit #36.

Thank you for your assistance in this matter.

Respectfully submitted,

Sergeant Matt Dobbs
San Diego Police Department
Homicide Unit
1401 Broadway, San Diego, Ca 92101
[REDACTED]



Office of the Chief of Police
1401 Broadway • San Diego, CA 92101-5729

[Print](#) [Close](#)**SDMSE CADView - View Incident Information**
Incident Number - FS15110097**Detail Report**

Incident Information

Priority	Level 1 Medical
Problem [MPDS Code]	Stabbing/Gunshot (L1) [27D03G]
Location Name	CVS PHARMACY Mission Valley
Address	5644 Mission Center Rd
Apartment	
City & Zip	SAN DIEGO, 92108
Engine District	23
Call Take Complete	08/28/2015 00:18:46
Call Sent to Queue	08/28/2015 00:16:43
Call Closed	08/28/2015 00:47:57
Call Disposition	2-FR AMA-REL-DOS
Caller Information	

E45 (Scott_Shipkowski | Jorge_Ruiz_PM | Jason_Schoger |
Alejandro_Guevara_PM)

Dispatch	08/28/2015 00:16:48
Responding	08/28/2015 00:17:46
On Scene	08/28/2015 00:22:39
Call Complete	08/28/2015 00:47:57
Response Time	00:05:51
Unit Disposition	2-FR AMA-REL-DOS

M11 (Jason_Baum_PM | Mallie_Jason)

Dispatch	08/28/2015 00:16:48
Call Complete	08/28/2015 00:18:20
Unit Disposition	1-CALL COMPLETE

M36 (Michael_Roman_PM | Albert_Berry)

Dispatch	08/28/2015 00:18:10
Responding	08/28/2015 00:18:18
On Scene	08/28/2015 00:30:33
Call Complete	08/28/2015 00:47:39
Response Time	00:12:23
Unit Disposition	1-CALL COMPLETE

Comments

08/28/2015 00:16:38	[Geographic Area: 5644 MISSION CENTER RD] [Medium] [FD] SND CMD AND SND TAC 1 SELECTED ON SOLEDAD	Automatic by System
08/28/2015 00:16:38	[Geographic Area: 5644 MISSION CENTER RD] [Low] [FD] TRAUMA CATCHMENT AREA - SHARP MEMORIAL	Automatic by System
08/28/2015 00:16:45	This incident FS15110097 has been sent to RCIP via the CAD2CAD Interface.	RCIP_C2C
08/28/2015 00:16:46	Acknowledgement Received from RCIP 37F-15-0224517	RCIP_C2C
08/28/2015 00:16:58	SDPD AT SCENE - SHOOTING CLEAR IN	CVT

08/28/2015 00:17:31 [ProQA Script] Dispatch code: 27D03G You are responding CVT
to a patient who has been shot/stabbed. The patient is of
unknown age and gender, whose consciousness and
breathing is unknown. CENTRAL wounds (Gunshot).

08/28/2015 00:18:42 FRONT DOOR OF STORE - PT IS UNCON & BREATHING CVT

08/28/2015 00:29:15 M36 adv 1-2 min BTJ

08/28/2015 00:47:40 E45 - DOS E45

08/28/2015 00:47:39 1144 KPO

***Note - All times listed are unofficial and unaudited.**

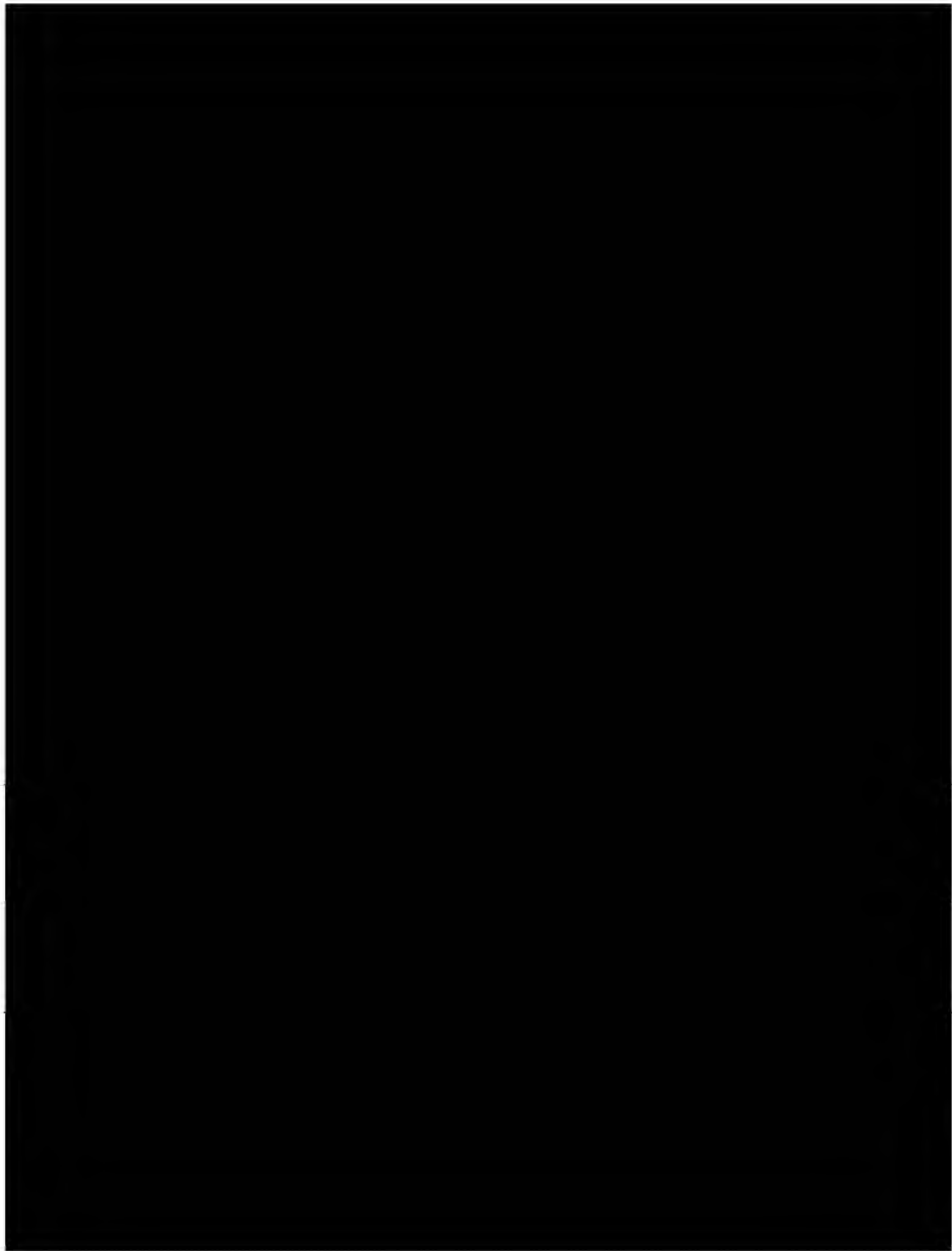
The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The next section describes the methodology used in the study, including the data collection and analysis techniques. The results of the study are then presented, followed by a discussion of the findings and their implications. The paper concludes with a summary of the main points and a list of references.

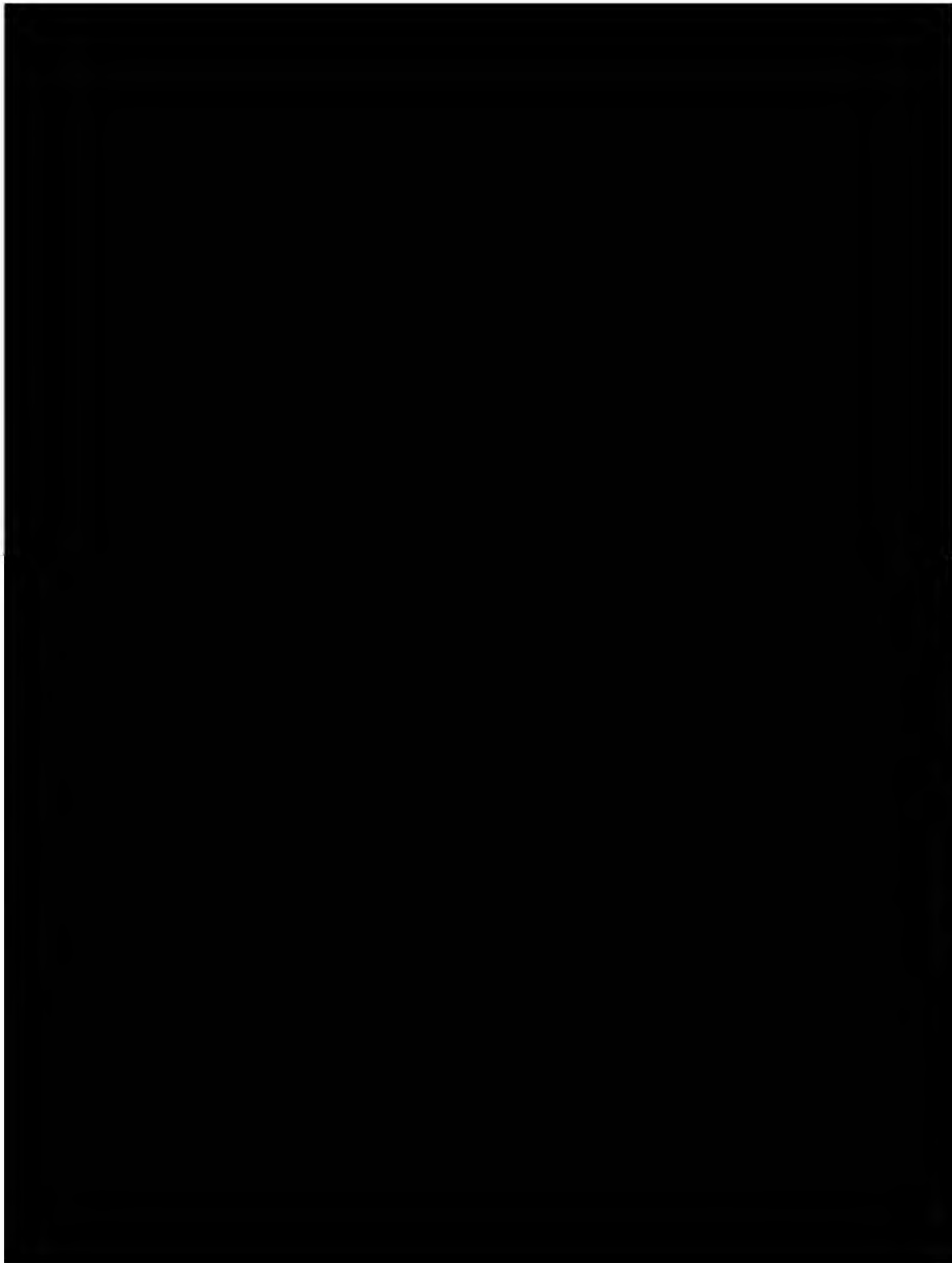
The research was conducted in a systematic and rigorous manner, following the principles of good research practice. The data was collected from a large and diverse sample of participants, and the analysis was conducted using advanced statistical techniques. The results of the study are presented in a clear and concise manner, and the implications of the findings are discussed in detail.

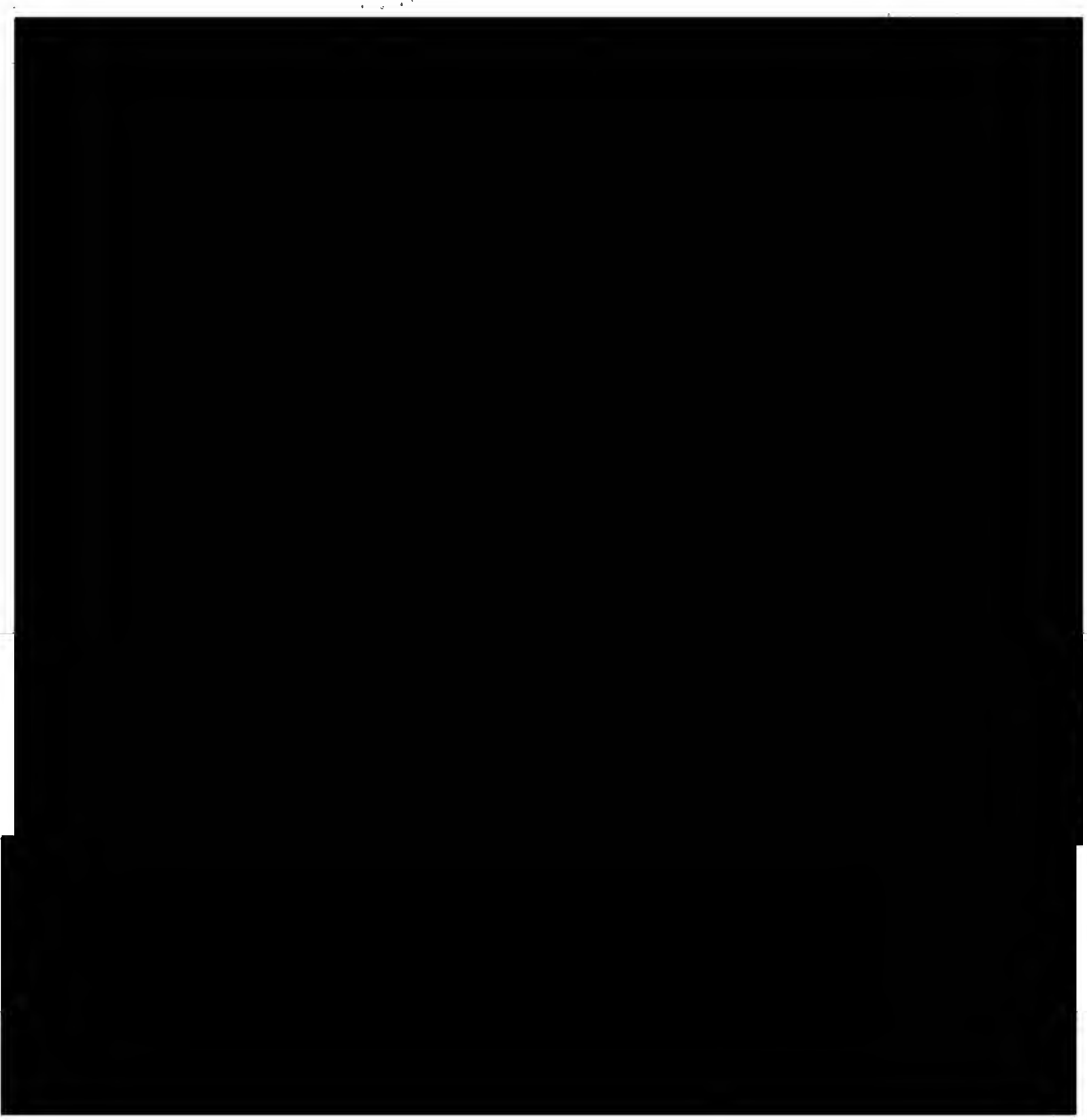
The findings of the study have important implications for the field of research. They suggest that there is a need for further research in this area, and that the results of this study can be used to inform policy and practice. The paper also highlights the importance of the research and the need for continued efforts to improve our understanding of the topic.

In conclusion, this paper presents a comprehensive overview of the research and its findings. It highlights the importance of the research and the need for continued efforts to improve our understanding of the topic. The results of the study are presented in a clear and concise manner, and the implications of the findings are discussed in detail.

[The following text is a dense, continuous block of characters and symbols, likely representing a corrupted or heavily redacted document. It contains no legible words or phrases.]







**SAN DIEGO POLICE DEPARTMENT
CRIME SCENE UNIT
PROPERTY REPORT**

Victim: ,

Suspect: **HOBBER, Robert A**

Charge: **981153**

Incident Number: **15080049480**

Case Number:

Incident Date: **08/28/2015**

Assigned Command: **Homicide**

Assigned Detective: **DOBBS, MATTHEW**



10525794

CD / DVD

Placard #:

audio of [REDACTED] interview

10525794

Collected By: **CLENDENEN, TAMMY 6236**

Date Collected: **08/28/2015**

Recovery Address: **5644 Mission Center Road**

Recovery Location:

Transported By: **CLENDENEN, TAMMY 6236** on 8/28/15 0530

Impounded By: **TAMMY CLENDENEN 8/28/15 8:00**



10527066

CD / DVD

Placard #:

2 CDs CVS store security video

10527066

Collected By: **JOSE, MARC 4217**

Date Collected: **08/28/2015**

Recovery Address: **5644 Mission Center Road**

Recovery Location:

Transported By: **CLENDENEN, TAMMY 6236** on 8/28/15 0530

Impounded By: **MARC JOSE 9/1/15 8:50**



CD / DVD

10527068

Placard #: [REDACTED] interview
10527068

Collected By: JOSE, MARC 4217
Date Collected: 08/28/2015
Recovery Address: 5644 Mission Center Road
Recovery Location:

Transported By: JOSE, MARC 4217 on 8/28/15 0232

Impounded By: MARC JOSE 9/1/15 8:53



CD / DVD

10536518

Placard #: copy of ABLE video from incident
10536518

Collected By: KELLNER, WILLIAM 5776
Date Collected: 09/08/2015
Recovery Address: 5644 Mission Center Road
Recovery Location: "

Transported By: JOSE, MARC 4217 on 8/28/15 0232

Impounded By: WILLIAM KELLNER 9/29/15 9:33



CD / DVD

10539140

Placard #: CD containing [REDACTED] interviews
10539140

Collected By: MAGGI, LOUIS 5595
Date Collected: 10/06/2015
Recovery Address: HQ
Recovery Location: HQ

Transported By: JOSE, MARC 4217 on 10/6/15 1410

Impounded By: LOUIS MAGGI 10/6/15 14:11



10525822

CD / DVD

Placard #: Original CD Oberndorfer interview
10525822

Collected By: **DOBBS, MATTHEW 5228**
Date Collected: **08/28/2015**
Recovery Address: **1401 Broadway**
Recovery Location: **1401 Broadway**

Transported By: **DOBBS, MATTHEW 5228** on 8/28/15 0530

Impounded By: **MATTHEW DOBBS 8/28/15 10:39**



10526654

**BULLET (Fired-Not
Ammo)**

Placard #: 1 Collected southwest of patrol vehicle #7213 3
10526654

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **Parking lot in front (south) of CVS**

Impounded By: **Sanders, Jennifer 8/31/15 5:34**



10526656

**OTHER - See
Additional Description
for Further**

Placard #: 2 One green box cutter - collected southwest of patrol vehicle #7213 3
10526656

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **Parking lot in front (south) of CVS**

Impounded By: **Sanders, Jennifer 8/31/15 5:38**



10526658

BOTTLE

Placard #: 3 One piece of broken wine bottle - collected south of patrol vehicle #7213 3
10526658

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **Parking lot in front (south) of CVS**

Impounded By: **Sanders, Jennifer 8/31/15 5:38**



CARTRIDGE CASE

Placard #: 4 Head stamp "FEDERAL 45 AUTO" - collected south of patrol vehicle #7213 3
10526660

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **Parking lot in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 5:40



CARTRIDGE CASE

Placard #: 5 Head stamp "FEDERAL 45 AUTO" - collected south of patrol vehicle #7213 3
10526661

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **Parking lot in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 5:40



BOTTLE

Placard #: 6 One piece of broken wine bottle - collected from underneath patrol vehicle #7213 3,
adjacent to the rear passenger-side tire
10526662

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **Parking lot in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 5:41



OTHER - See
Additional Description
for Further

Placard #: 7 One white plastic hot beverage lid with apparent wine stains
10526663

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 5:42



10526665

OTHER - See
Additional Description
for Further

Placard #: 8
10526665

One Starbucks hot beverage cup, approximately half full of apparent wine (discarded at scene) - collected from on top of table

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 5:45



10526666

BOTTLE

Placard #: 8
10526666

One yellow tail merlot wine bottle, approximately 1/4 full of apparent wine (discarded at scene) - collected from on top of table

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 5:47



10526667

OTHER - See
Additional Description
for Further

Placard #: 8
10526667

see comments

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 5:48

NOTES: *****

JCS 8393 8/31/15

This item consists of the following:

- One blue American Match lighter
- One clear MK lighter
- One CVS/pharmacy receipt dated "AUGUST 27, 2015 10:31 PM"
- One Mission Valley Shell receipt dated "08/27/15 06:15:05"
- One Citibank receipt dated "08/27/2015 17:12"
- One CVS/pharmacy receipt for Ibuprofen 600mg

This item was collected from on top of the table

*****END



CLOTHING

Placard #: 9 see comments

10526671

Collected By: **SANDERS, JENNIFER 8393**

Date Collected: **08/28/2015**

Recovery Address: **5644 Mission Center Road (CVS)**

Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 5:57

NOTES: *****

JCS 8393 8/31/15

One size "XL" (faded) black "GILDAN" hooded sweatshirt

The sweatshirt is dirty and torn, and the sleeves were inside-out when collected

"RCS TANK CLEANING SOLUTIONS" is screened on the front

This item was collected from the shopping cart

*****END



BACKPACK

Placard #: 9 see comments
10526672

Collected By: SANDERS, JENNIFER 8393
Date Collected: 08/28/2015
Recovery Address: 5644 Mission Center Road (CVS)
Recovery Location: West side of front entrance walkway in front (south) of CVS
Impounded By: Sanders, Jennifer 8/31/15 6:00

NOTES: *****

JCS 8393 8/31/15

One blue and gray "OZARK TRAILS" backpack:

The small outer front zippered pocket contains:

- One "Eagle 20's" empty cigarette box
- One "Naural American Spirit" empty cigarette box

The medium outer front zippered pocket contains:

- \$0.71 loose change (US currency)

The top mini zippered pocket contains:

- One bottle of "CVS IBUPROFEN" tablets

The main compartment contains:

- Three "San Diego City Beat" magazines
- One "GEIGERRIG HYDRAPAK" bladder, full of clear liquid
- Miscellaneous trash

This item was collected from inside the shopping cart

****END



10526673

OTHER - See
Additional Description
for Further

Placard #: 9 see comments

10526673

Collected By: **SANDERS, JENNIFER 8393**

Date Collected: **08/28/2015**

Recovery Address: **5644 Mission Center Road (CVS)**

Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 6:06

NOTES: *****

JCS 8393 8/31/15

This item consists of the following:

- Two "CVS" plastic bages (tied at the handles) containing:
 - One "CVS IBUPROFEN" empty box
 - One "SALUTE! WAITERS CORKSCREW" empty packaging
- One black and orange piece of plastic wrapper for "yellow tail" wine bottle
- One hand drawn sign on the back of a "Chobani" paper

This item was collected from inside the shopping cart, underneath the backpack

*****END



10526674

OTHER - See
Additional Description
for Further

Placard #: 10 One black and orange piece of plastic wrapper for "yellow tail" wine bottle

10526674

Collected By: **SANDERS, JENNIFER 8393**

Date Collected: **08/28/2015**

Recovery Address: **5644 Mission Center Road (CVS)**

Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 6:11



10526675

OTHER - See
Additional Description
for Further

Placard #: 11
10526675

One black "SALUTE!" corkscrew

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: 08/28/2015
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 6:13



10526676

SHOES

Placard #: 12
10526676

One pair of black, dirty flip flops

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: 08/28/2015
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 6:14



10526677

DOCUMENTS

Placard #: 13
10526677

One yellow and blue partial store/sale sign, torn into three pieces with miscellaneous handwriting

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: 08/28/2015
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **West side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 6:15



10526678

OTHER - See
Additional Description
for Further

Placard #: 14
10526678

One tan cork with a picture of a kangaroo on the side

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: 08/28/2015
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **East side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 6:16



10526679

OTHER - See
Additional Description
for Further

Placard #: 15 One green ball point pen with "SAN DIEGO PUBLIC LIBRARY" printed on the side
10526679

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **East side of front entrance walkway in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 6:17



10526680

WALLET

Placard #: 16 see comments
10526680

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road (CVS)**
Recovery Location: **Hood of patrol vehicle #7213 3 - parked in front (south) of CVS**

Impounded By: Sanders, Jennifer 8/31/15 6:18

NOTES: *****

JCS 8393 8/31/15

One black wallet containing:

- One [REDACTED] card in the name of [REDACTED]
- One [REDACTED] card in the name of [REDACTED]
- One "ALBERTSON'S COMPASS TAP & RIDE" card
- One "SOCIAL SECURITY" card in the name of "ROBERT ARTHUR HOBER"
- Six "WORK CREDIT" papers
- Miscellaneous receipts and papers
- One \$5.00 bill (US currency)
- One penny (\$0.01 - US currency)

*****END



10526682

BAG

Placard #: Head bag
10526682

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **Medical Examiner's Office**
Recovery Location: **(S) Robert HOBER [REDACTED]**

Impounded By: Sanders, Jennifer 8/31/15 6:27



10526683

BAG

Placard #: Right hand bag
10526683

Collected By: SANDERS, JENNIFER 8393

Date Collected: 08/28/2015

Recovery Address: Medical Examiner's Office

Recovery Location: (S) Robert HOBER [REDACTED]

Impounded By: Sanders, Jennifer 8/31/15 6:28



10526684

BAG

Placard #: Left hand bag
10526684

Collected By: SANDERS, JENNIFER 8393

Date Collected: 08/28/2015

Recovery Address: Medical Examiner's Office

Recovery Location: (S) Robert HOBER [REDACTED]

Impounded By: Sanders, Jennifer 8/31/15 6:29



10526685

BAG

Placard #: Right foot bag
10526685

Collected By: SANDERS, JENNIFER 8393

Date Collected: 08/28/2015

Recovery Address: Medical Examiner's Office

Recovery Location: (S) Robert HOBER [REDACTED]

Impounded By: Sanders, Jennifer 8/31/15 6:29



10526686

BAG

Placard #: Left foot bag
10526686

Collected By: SANDERS, JENNIFER 8393

Date Collected: 08/28/2015

Recovery Address: Medical Examiner's Office

Recovery Location: (S) Robert HOBER [REDACTED]

Impounded By: Sanders, Jennifer 8/31/15 6:30



10526687

CLOTHING

Placard #: One pair of blue plaid under-shorts

10526687Collected By: **SANDERS, JENNIFER 8393**Date Collected: **08/28/2015**Recovery Address: **Medical Examiner's Office**Recovery Location: **(S) Robert HOBER** [REDACTED]Impounded By: Sanders, Jennifer 8/31/15 6:31



10526688

CLOTHING

Placard #: One black tee-shirt

10526688Collected By: **SANDERS, JENNIFER 8393**Date Collected: **08/28/2015**Recovery Address: **Medical Examiner's Office**Recovery Location: **(S) Robert HOBER** [REDACTED]Impounded By: Sanders, Jennifer 8/31/15 6:31



10526689

CLOTHING

Placard #: One pair of blue jeans

10526689Collected By: **SANDERS, JENNIFER 8393**Date Collected: **08/28/2015**Recovery Address: **Medical Examiner's Office**Recovery Location: **(S) Robert HOBER** [REDACTED]Impounded By: Sanders, Jennifer 8/31/15 6:34



10526690

MOUTH SWAB

Placard #:

10526690Collected By: **SANDERS, JENNIFER 8393**Date Collected: **08/28/2015**Recovery Address: **Medical Examiner's Office**Recovery Location: **(S) Robert HOBER** [REDACTED]Impounded By: Sanders, Jennifer 8/31/15 6:35



10526692

**LABORATORY
EVIDENCE**

Placard #: Fingernail scrapings from the right hand
10526692

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **Medical Examiner's Office**
Recovery Location: **(S) Robert HOBER** [REDACTED]

Impounded By: Sanders, Jennifer 8/31/15 6:36



10526693

**LABORATORY
EVIDENCE**

Placard #: Fingernail scrapings from the left hand
10526693

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **Medical Examiner's Office**
Recovery Location: **(S) Robert HOBER** [REDACTED]

Impounded By: Sanders, Jennifer 8/31/15 6:38



10526694

**LABORATORY
EVIDENCE**

Placard #: Plucked head hair
10526694

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **Medical Examiner's Office**
Recovery Location: **(S) Robert HOBER** [REDACTED]

Impounded By: Sanders, Jennifer 8/31/15 6:39



10526695

**BULLET (Fired-Not
Ammo)**

Placard #: Collected from the abdomen
10526695

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **Medical Examiner's Office - Received from FAS Andrade**
Recovery Location: **(S) Robert HOBER** [REDACTED]

Impounded By: Sanders, Jennifer 8/31/15 6:40



10526696

**LABORATORY
EVIDENCE**

Placard #: Rib bone sample
10526696

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **Medical Examiner's Office - Received from FAS Andrade**
Recovery Location: **(S) Robert HOBER** [REDACTED]
Impounded By: Sanders, Jennifer 8/31/15 6:41



10526697

BLOOD VIAL

Placard #:
10526697

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **Medical Examiner's Office - Received from FAS Andrade**
Recovery Location: **(S) Robert HOBER** [REDACTED]
Impounded By: Sanders, Jennifer 8/31/15 6:42



10526698

**LABORATORY
EVIDENCE**

Placard #: One set of inked finger and palm prints
10526698

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **Medical Examiner's Office - Received from FAS Andrade**
Recovery Location: **(S) Robert HOBER** [REDACTED]
Impounded By: Sanders, Jennifer 8/31/15 6:43

NOTES: **BC #10526698 contains elims of victim/returned to Property 9-02-015**



10526699

**LABORATORY
EVIDENCE**

Placard #: One Reference Bloodstain Card prepared from the suspect's blood (10526697)
10526699

Collected By: **SANDERS, JENNIFER 8393**
Date Collected: **08/28/2015**
Recovery Address: **CSU**
Recovery Location: **(S) Robert HOBER** [REDACTED]
Impounded By: Sanders, Jennifer 8/31/15 6:44



CD / DVD

Placard #: One Master DVD containing digital images #1 through #271
10526700

Collected By: SANDERS, JENNIFER 8393
Date Collected: 08/28/2015
Recovery Address: 5644 Mission Center Road (CVS) / ME's Office
Recovery Location: Scene / Autopsy

Impounded By: Sanders, Jennifer 8/31/15 6:47



CD / DVD

Placard #: One Working Copy DVD containing digital images #1 through #271
10526701

Collected By: SANDERS, JENNIFER 8393
Date Collected: 08/28/2015
Recovery Address: 5644 Mission Center Road (CVS) / ME's Office
Recovery Location: Scene / Autopsy

Impounded By: Sanders, Jennifer 8/31/15 6:49



LABORATORY
EVIDENCE

Placard #: FA Processing Packet for OFC Oberndorfer, #5672 (Glock Model 21 S/N [REDACTED])
10526845 bore swab, chamber contents, mag contents (x4), testfires.

Collected By: WILSON, LISA 8512
Date Collected: 08/28/2015
Recovery Address: 1401 Broadway
Recovery Location: Crime Lab - FA Unit

Impounded By: Wilson, Lisa 8/31/15 14:59



LABORATORY
EVIDENCE

Placard #: [REDACTED]
10526847

Collected By: WILSON, LISA 8512
Date Collected: 08/31/2015
Recovery Address: 1401 Broadway
Recovery Location: Crime Lab - FA Unit

Impounded By: Wilson, Lisa 8/31/15 15:05



10527279

CD / DVD

Placard #: One "MASTER" DVD containing digital images #1 through #20 of the officer processing
10527279

Collected By: **Morreira, Heather 8702**
Date Collected: **08/28/2015**
Recovery Address: **Crime Scene Unit Studio**
Recovery Location: **Officer Processing**

Impounded By: **Morreira, Heather 9/1/15 16:47**



10527280

CD / DVD

Placard #: One "WORKING COPY" DVD containing digital images #1 through #20 of the officer processing
10527280

Collected By: **Morreira, Heather 8702**
Date Collected: **08/28/2015**
Recovery Address: **Crime Scene Unit Studio**
Recovery Location: **Officer Processing**

Impounded By: **Morreira, Heather 9/1/15 16:49**



10531791

IDENTIFICATION
CARD

Placard #: Robert Hober's CDL found in his wallet by Officer Heller
10531791

Collected By: **HELLER, PATRICK 5400**
Date Collected: **08/28/2015**
Recovery Address: **5644 Mission Center Road**
Recovery Location: **Hober's wallet**

Impounded By: **WILLIAM KELLNER 9/15/15 13:53**



County of San Diego

GLENN N. WAGNER, D.O.
CHIEF MEDICAL EXAMINER

JONATHAN R. LUCAS, M.D.
CHIEF DEPUTY MEDICAL EXAMINER

OFFICE OF THE MEDICAL EXAMINER

TOXICOLOGY REPORT

Name: **HIOBER, Robert Arther**
Medical Examiner Number: **[REDACTED]**
Date of Death: **08/28/2015**
Time of Death: **00:43**
Pathologist: **Glenn N. Wagner, D.O.**
Specimens Received: **Abdominal Blood, Bile, Brain, Central Blood, CSF, Fat, Heart, Kidney, Liver, Lung, Muscle, Peripheral Blood 1, Peripheral Blood 2, Spleen, Urine, Vitreous**
Date Specimens Received: **08/31/2015**

<u>Test Name (Method of Analysis)</u>	<u>Specimen Tested</u>	<u>Result</u>
<u>Alcohol Analysis (GC/FID-Headspace)</u>	Peripheral Blood 2	
Alcohol (Ethanol)		0.38 % (w/v)
Acetone, Methanol, Isopropanol		Not Detected
<u>Alcohol Analysis (GC/FID-Headspace)</u>	Vitreous	
Alcohol (Ethanol)		0.15 % (w/v)
<u>Drugs of Abuse Screen (ELISA)</u>	Central Blood	
Cocaine metabolites		Not Detected
Amphetamines		Not Detected
Opiates		Not Detected
Benzodiazepines		Not Detected
Fentanyl		Not Detected
Cannabinoids		Not Detected
Phencyclidine (PCP)		Not Detected
Oxycodone		Not Detected
Methadone		Not Detected
Zolpidem		Not Detected
Carisoprodol		Not Detected
Buprenorphine		Not Detected
<u>Base Screen (GC/MS)</u>	Peripheral Blood 1	
Ibuprofen		Detected
<u>Acid/Neutral Screen (HPLC/DAD)</u>	Peripheral Blood 1	
Ibuprofen		68 mg/L

End Results

Approved and Signed:
10/08/2015

Iain M. McIntyre, Ph.D.
Forensic Toxicology Laboratory Manager
(All Inquiries/Correspondence)

Reviewed:

Catherine E. Hamm
Forensic Toxicology Laboratory Supervisor



THE CITY OF SAN DIEGO

39922

August 31, 2015

Glenn N. Wagner, D.O.
San Diego County Medical Examiner's Office
County Operations Center
[REDACTED]

Re: Public Release of Autopsy and Deputy Medical Examiner's Reports on
Robert Hobcr 9/20/60, M.E. Case # [REDACTED]

Dear Dr. Wagner:

Pursuant to Government Code Section 6255, I am requesting that you withhold the public release of the autopsies, toxicology and Deputy Medical Examiner's Reports in the above case. It is my belief, and that of the investigators, that the public release of the information contained in the autopsy, toxicology and Deputy Medical Examiner's reports may hamper the successful resolution of the investigation.

Homicide suspects frequently communicate with their peers. There is a probability that a suspect will reveal information to another party. If this information is of the nature that no prior public knowledge was available, investigators could confirm the origin of such information and narrow the scope of their investigation. Such items which are not now public knowledge, but are contained in the autopsy and toxicology reports, include:

- location and nature of trauma on the decedent;
- type of weapon used to kill the victim;
- identification of potential witnesses;
- descriptions of items of physical evidence.

Most, if not all, of the above areas have been withheld by homicide detectives following the investigative maxim that certain facts are known only to the killer(s) and the investigators involved. It is my opinion that the public interest in the release of the above information does not outweigh the societal need to withhold this information in the hopes of obtaining an unbiased resolution to the complex matter.

Sincerely,

Mike Hastings, Lieutenant
Homicide Section



Office of the Chief of Police

1401 Broadway • San Diego, CA 92101-5729

INCIDENT NUMBER 15080049480		SAN DIEGO REGIONAL ADDITIONAL VICTIMS/WITNESSES/OTHERS				PAGE 1 OF 1		CASE NUMBER 00000000	
LOCATION OF INCIDENT, CITY STATE ZIP						BEAT	DISTRICT	DATE 8/28/2015	

VICTIM / WITNESS	<div style="display: flex; justify-content: space-between;"> <div> W-TYPE W RP 06 </div> <div>VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)</div> </div>									
	RESIDENCE ADDRESS, CITY STATE ZIP								RESIDENCE PHONE	
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
								No	N	N
	STATUS EMPLOYER / SCHOOL				OCCUPATION / RANK / GRADE			DAYS OFF	WORK HOURS	
	BUSINESS ADDRESS, CITY STATE ZIP								BUSINESS PHONE	V/W ASSIST
									N	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										

VICTIM / WITNESS	<div style="display: flex; justify-content: space-between;"> <div> W-TYPE W 06 </div> <div>VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)</div> </div>									
	RESIDENCE ADDRESS, CITY STATE ZIP								RESIDENCE PHONE	
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
								No	N	N
	STATUS EMPLOYER / SCHOOL				OCCUPATION / RANK / GRADE			DAYS OFF	WORK HOURS	
	BUSINESS ADDRESS, CITY STATE ZIP								BUSINESS PHONE	V/W ASSIST
									N	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										

VICTIM / WITNESS	<div style="display: flex; justify-content: space-between;"> <div> W-TYPE W OC 06 </div> <div>VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)</div> </div>									
	RESIDENCE ADDRESS, CITY STATE ZIP								RESIDENCE PHONE	
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
								No	N	N
	STATUS EMPLOYER / SCHOOL				OCCUPATION / RANK / GRADE			DAYS OFF	WORK HOURS	
	BUSINESS ADDRESS, CITY STATE ZIP								BUSINESS PHONE	V/W ASSIST
									N	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										

VICTIM / WITNESS	<div style="display: flex; justify-content: space-between;"> <div> W-TYPE </div> <div>VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)</div> </div>									
	RESIDENCE ADDRESS, CITY STATE ZIP								RESIDENCE PHONE	
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
	STATUS EMPLOYER / SCHOOL				OCCUPATION / RANK / GRADE			DAYS OFF	WORK HOURS	
	BUSINESS ADDRESS, CITY STATE ZIP								BUSINESS PHONE	V/W ASSIST
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										

REPORTING OFFICER HUMES		ID# 6750	DIVISION E3	APPROVED BY	ID#	DATE AND TIME OF REPORT 08/28/2015 06:49
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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)
TIME (occurrence): 0016 Hours
LOCATION: 5644 Mission Center Road, San Diego, CA.
SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBER, Robert Arthur W/M (54) 09/20/60

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On August 28, 2015, I received a telephone call from Detective Sergeant Matt Dobbs #5228 of Homicide Team III that we were being assigned to investigate an Officer Involved Shooting that occurred at 5644 Mission Center Road in San Diego and I was directed to respond to that location for the briefing.

The incident occurred in front of the CVS Pharmacy at 5644 Mission Center Road located in a strip mall. Upon my arrival a patrol officer had the west entrance to the strip mall parking lot cordoned off with yellow police tape and he lifted the tape to allow me to drive in to the parking lot. Another area was cordoned off with yellow police tape just west of the CVS and I parked my vehicle about thirty yards west of the police tape.

Sergeant Swadener #5753 gave the briefing. After the briefing, Detective Sergeant Dobbs assigned me to interview [REDACTED]. At about 0214 hours I spoke to [REDACTED]. I recorded our conversation on a digital recorder. I later transferred the digital recording to a compact disc which I impounded under incident # 150080049480.

The following is an "in essence" report and is not meant to be a word for word account of my conversation with the witness. The following, paraphrased, is his statement and answers to my questions:

I don't have a home phone. You can reach me on my [REDACTED] cell phone at [REDACTED]. Her name is [REDACTED]. I got to here around 10:05. I waited until about 10:25 to [REDACTED]. The [REDACTED] was here and he helped him buy two bottles of wine. I saw the transaction but I wasn't paying too much attention to it. He bought two bottles of wine and he paid cash. I'm not sure if he bought anything else at [REDACTED]. [REDACTED] He went outside and I guess he was sitting out there for awhile.

An hour or an hour and a half later, I was here with [REDACTED] and I can hear him yelling and screaming at nobody. I don't think anyone was out there. He was sitting at a display table we have out there for the summer section and he was sitting there.

He wasn't really making any sense. He was just yelling to yell, it wasn't like coherent. I have seen him before but not like he's a regular customer. I have seen him maybe a couple of times here at the store. But it wasn't recent. He has that familiar face. I had not seen him within the last couple of months.

He had bought some wine and I figured he was drinking wine. So I went out there to tell him to leave because [REDACTED] can't come in and be yelled at. But as I was telling him, "Whats going on" he got the box cutter that was sitting on the table right in front of him. He picked it up and chased me inside. I ran inside but he didn't come in after me, he just started banging on the glass.

When I went out there he was sitting down and he grabbed the box cutter. I didn't see the box cutter until he grabbed it. I was unaware of it. I was talking to him making sure he was OK and I was going to tell him to leave, but I didn't have the chance to because he immediately picked it up.

Did he say anything to you when you initially went out there?

No. I might have said, "What the hecks going on out here?"

Did he reply to that?

Yeah, by picking up the box cutter. The blade wasn't out but I saw him do a hand motion. I didn't see the blade come out because I was running. I was out of there. It looked like he was going to come after me with that. I'm getting the hell out of there. He got up from the table. He didn't run but was briskly walking in my direction and I took that as a threat so I booked it inside.

How close do you think you were?

Ten to fifteen feet. I wasn't too close, but I wasn't far away either. It's a square table and he was sitting closest to the wall with his back towards the store. I ran back in. I think I ran to [REDACTED] There's a window right in front and he was banging and kicking. He didn't go right up to the doors that slide open, it was right next to it to the left where the 24 hours sign is. It's to the left of the doors as you are facing them. I told [REDACTED] what happened. [REDACTED] got on the phone and called the dispatcher that he was yelling and screaming and threatening me with the knife, (box cutter).

He was a homeless man, in his late 50's, gray hair, and stubble facial hair. He had a black T-shirt on and either jeans or white colored sweat pants. I didn't see if he had shoes on. He was a white guy. The box cutter was a darker colored one and kind of had some wear to it. I saw it for a split second and it was either green or a darker color.

Do you know if anyone else was outside?

I wasn't really paying much attention to my surroundings at the time. Before he was still outside and yelling I did [REDACTED] while he was out there yelling. So I told the [REDACTED] to be careful as he went to his vehicle. It was actually after he threatened me. He bought some beer and I told him to be careful. He was a Hispanic male, in his mid twenties. I think it was about a minute after she had called, it was in that same time period.

I saw him throw a bottle at one point, a glass wine bottle that he had. He threw it in the street. He was just being very belligerent and violent.

So she was calling the police and me and [REDACTED] were making sure he wasn't coming inside. The doors don't lock. The only way to close them is to flip a couple of switches to get the doors to stay closed so it doesn't have the motion sensor activation. But none of us did that because we didn't want to get too close to the situation outside.

He was yelling really loud, just screaming at nobody that I could tell. Just yelling to yell, it was nothing specific just yelling gibberish. Me and [REDACTED] were standing in range of the door to see if he comes in. We can hear an altercation outside. I guess it was the police telling him to put his hands up. I just heard the two arguing or whatever. The doors were closed. I could just hear the two yelling back and forth and then two shots. We got out of the way because we didn't want to get in the crossfire of any shooting. We heard the two shots and he was still stumbling around outside. The officer was telling him to get down and eventually he just fell down on his own. He walked across to the opposite side, on the east, and the officer was in front telling him to get down.

How far was the officer from him?

A good twenty-five feet or thirty feet. The officer cuffs him and I saw him checking for his vital signs. And then they gave him CPR trying to bring him back. I think he stopped breathing.

When you heard the two shots were they two quick shots?

Yeah, within seconds of each other. I believe the officer was trying to give him instruction to get down. I could really hear because the doors were shut but I could hear them yelling, and the other yelling gibberish to the cop. Then I heard the two shots.

Our conversation ended at 0232 hours.

Reporting Detective Marc Jose

I.D. 4217

Homicide Team: III

Approved by: Sgt M. Dobbs #5228

Date of this report: 8/31/15

Time: 1310 Hours.

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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)
TIME (occurrence): 0016 Hours
LOCATION: 5644 Mission Center Road
SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBBER, Robert Arthur W/M (54) 09/20/60

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On Friday, August 28, 2015, at about 0020 hours, I received a phone call from Detective Sergeant Matt Dobbs informing me of an officer involved shooting incident in front of the CVS Pharmacy, located at 5644 Mission Center Road. Sergeant Dobbs instructed me to meet with other members of Homicide Team III at that location to be briefed on the incident.

At about 0145 hours, we were briefed on the shooting by Patrol Sergeant Art Swadener. Following the briefing, Detective Tammy Clendenen and I were instructed to conduct witness interviews. At 0213 hours we spoke to [REDACTED] a witness to the incident, in the [REDACTED] I recorded the conversation for clarity and a copy can be reviewed for complete details. This is an "in essence" report and is not meant to be a word for word account of my conversation with [REDACTED] The following, paraphrased, is her statement and answers to my questions:

I got here at 10:33(pm). When I got here, that man was already sitting at the table that is outside on display with his stuff in our shopping cart. He was pulling out two bottles of wine. I thought he was just looking at it. It looked like he was homeless, so I wondered how long he had been in front of the store. I went inside and [REDACTED] I asked the [REDACTED] how long the guy had been out there. It didn't appear that he had been there long. I assumed he was taking the bottle out of the CVS bag to put into his bag. She said he hadn't been there (long).

I went outside to get the [REDACTED] to get a better feel of what he was doing out there. When I got the [REDACTED] I noticed that he was touching something. Our box cutters are the flat silver kind, this was a green one and the blade was already out. He just said "Hi" in a pleasant demeanor. I didn't realize it then, but he had a little Starbucks cup. I thought he was drinking coffee, but I guess he was putting wine into it. I went back in the

Investigator's Report

Witness: [REDACTED]

Case #15-037226; #15-037227

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store and told [REDACTED] about it. Typically we give them about twenty minutes before we tell them they need to go.

[REDACTED] and I went back outside at about 11:00pm, but he didn't seem to be bothering anybody, he was just sitting there. We went to the back and brought the [REDACTED] out to the floor. Then I went back up front to tell [REDACTED] that we needed to [REDACTED] and I asked him to sort them out. Then I heard the man screaming. He was facing east; we thought he was maybe yelling at someone. He was outside and the doors were closed. I could not tell what he was yelling, he sounded horse.

[REDACTED] went outside and asked the man what was going on. The guy got up all aggravated and mad, well he was already aggravated and mad at something. He had the safety cutter in his hand and he was coming at [REDACTED] with it. He charged [REDACTED] and [REDACTED] came back into the store. He wasn't running, but he was walking like aggravated and fast. I couldn't hear what he was yelling because he wasn't enunciating and it seemed like he was flipping out. He was holding the box cutter in front of his body in his right hand. I thought for certain he was gonna follow [REDACTED] in, I am not sure why he didn't. For whatever reason he stopped at the door, hit it, and then kicked it once. He was still screaming and waving the thing all around. I was standing in front of the [REDACTED] so he had a direct view of me; I presume that he was looking to see if [REDACTED] was still going to bug him. I backed up just enough to where I could see him but he could not see me. That is when I called 911.

I told the dispatcher what happened and she told me to stay on the phone until I was directed to disconnect. Just before the police pulled up, he threw the bottle right where the police car parked a minute later. I also saw him light something on fire and throw it. It looked like it landed in the shopping cart. I thought all his stuff was going to catch on fire, but it fell through the little bar and just went out. I didn't see him smoke or anything, but I guess he had a lighter or something, I never saw it.

As soon as he saw the police he got even more aggravated like they were going to bug him. Most of the time when the police get here they are like, 'Everything is cool. I am fine. I will chill out.' They really don't want a problem. He got up all aggravated and grabbed the cutter or already had it in his hand. I don't know if he ever let it go from his hand but he had it and was going straight toward the police car. This was before the officer said anything to him. The officer saw him sitting there, I presume he knew it was the guy based on the description I gave and he was the only guy outside of the store. A guy had just left and we were like, 'Be careful.' He said, 'Yeah, I'm not worried about that guy.' Luckily that was the last person to go out of the store.

I was standing by [REDACTED] so I could see him going toward the police car, but I didn't have a full view of the complete interaction because now his back was to me. He was getting closer to that police car and he was screaming with the same demeanor he had with [REDACTED] I couldn't really hear what he was saying but it was like, 'Really you want to come after me!'

Investigator's Report

Witness: [REDACTED]

Case #15-037226; #15-037227

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I heard the officer yelling at him to stop or something similar. "Stop! Stop! Stop!" Like three or four times. Then I heard three gun shots. It seemed like two close together and then one more. I am assuming there is a certain point when you have to make the decision, is he close enough to harm the police officer, which I would have thought he was within an arm's length based on where he was. They were about twelve feet apart to begin with and he got at least half way to the officer and was still closing on him. I couldn't tell if the officer already had the gun ready. I thought he may have been firing in the air to get him to listen because I don't really know what you guys do. Then he was coming back towards the store and then towards Ralphs. I was still on the phone with the dispatcher. [REDACTED] told me that he had been shot in the leg. I assumed this is why he wasn't walking as purposeful as when he was aggravated. Then they were yelling. I saw another police officer come over, he was taller and thinner. They told him to get down on the ground. I was hyperventilating after I heard the shots. Then [REDACTED] told me that he was on the ground and they thought he was dead. I just stayed to the side because I didn't want to see anything. They were trying to give him mouth to mouth.

I didn't see the shots, I only heard the shots. I just saw that he was advancing straight to the car when he got here because he was mad. Then I saw him come toward the store and then east. When the dispatcher said I could get off the phone I did and just waited for someone to come and talk to us.

The interview concluded at about 0237 hours. I provided [REDACTED] my business card and asked her to call me if she recalled any additional details.

Reporting Detective Louis J. Maggi Jr.

I.D. 5595

Homicide Team: III

Approved by: Sgt M. Dobbs #5228

Date of this report: August 28, 2015

Time: 0720 hours

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)
TIME (occurrence): 0016 Hours
LOCATION: 5644 Mission Center Road
SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBER, Robert Arthur W/M (54) 09/20/60

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On Friday, August 28, 2015, at about 0020 hours, I received a phone call from Detective Sergeant Matt Dobbs informing me of an officer involved shooting incident in front of the CVS Pharmacy, located at 5644 Mission Center Road. Sergeant Dobbs instructed me to meet with other members of Homicide Team III at that location to be briefed on the incident.

At about 0145 hours, we were briefed on the shooting by Patrol Sergeant Art Swadener. During the briefing, I learned of another incident possibly involving the decedent, Robert Hober, at Hazard Center (located across Friars Road from this incident). The incident, San Diego Police Department incident history number 15080049276, was reported by [REDACTED]. I called [REDACTED] and arranged to meet with her in person at her home. I drove to her home and spoke with her at about 1017 hours. I recorded the conversation for clarity and a copy can be reviewed for complete details. This is an "in essence" report and is not meant to be a word for word account of my conversation with [REDACTED]. The following, paraphrased, is her statement and answers to my questions:

I was at the movie theatre. I came up the stairs and I was waiting for my [REDACTED] to pick me up. Security was already there watching a guy nearby. He was smoking a cigarette sitting over by the ATM. I don't know why security was watching him. Security left, and as soon they did I saw smoke coming up from his right side. I thought to myself, "Is this guy trying to start a fire or what?" I saw flames several inches high and it looked like he was moving the wood chips around to build the fire. I walked by him and called the police. Security told me that they had problems with him at one other time.

He was about 5'10, thin framed, maybe 160-170 pounds, blondish brown shoulder length brown hair. I don't remember if he had facial hair. He was wearing a black tee-shirt and Khaki or tan shorts or pants. He looked fine to me; I don't think he was on any meds. We see crazy people walking up and down [REDACTED] all the time.

Investigator's Report

Witness: [REDACTED]

Case #15-037226; #15-037227

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Eventually he put the fire out and security came back. This was after I called the police. I told security about the fire and the heavy set guard said that the guy carries a blade. I saw the guy stand up and I watched the security guard back away and the guy kept coming to him. I told the security guard that it looked like the guy wanted to do him harm. I also saw the guard back away. I explained to him that I have thirty years experience in security and we are trained to observe and report. This guard actually went up to him. If he knew he had a blade, I think I would just observe and report. There was a second security guard, a female, up by Wyndham, watching the contact. When the guy saw her, he quit advancing on the first guard, grabbed his shopping cart, and walked off. The heavy set security guard had a male partner with him, an older man who looks like he is from somewhere else. They followed this guy away and then came back.

A tall slender police officer responded to the area and he spoke with security.

I showed [REDACTED] a booking photo of Robert Hober, but she could not identify him as the person she saw set the fire. She indicated that the person she saw was about the same age, and resembled the person in the photograph, but he was smaller and had longer hair. The interview concluded at about 1032 hours. I provided [REDACTED] my business card and asked her to call me if she recalled any additional details.

Reporting Detective Louis J. Maggi Jr.

I.D. 5595

Homicide Team: III

Approved by: Sgt M. Dobbs #5228

Date of this report: August 31, 2015

Time: 1625 hours

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): August 28, 2015 (Friday)
TIME (occurrence): 0016 Hours
LOCATION: 5644 Mission Center Road
SUBJECT: 245(a)(1) PC, Assault with Deadly Weapon – SDPD Case #15-037227
OIS/Special Investigation – SDPD Case #15-037226
Incident #15080049480
Officer: OBERNDORFER, Eric, ID #5672
Suspect: HOBER, Robert Arthur W/M (54) 09/20/60

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On Friday, August 28, 2015, at about 0020 hours, I received a phone call from Detective Sergeant Matt Dobbs informing me of an officer involved shooting incident in front of the CVS Pharmacy, located at 5644 Mission Center Road. Sergeant Dobbs instructed me to meet with other members of Homicide Team III at that location to be briefed on the incident.

At about 0145 hours, we were briefed on the shooting by Patrol Sergeant Art Swadener. Following the briefing, Detective Louis Maggi and I were instructed to conduct witness interviews. At 0242 hours we spoke to [REDACTED] a witness to the incident, [REDACTED] I recorded the conversation for clarity and a copy can be reviewed for complete details. This is an "in essence" report and is not meant to be a word for word account of my conversation with [REDACTED]. The following, paraphrased, is his statement and answers to my questions:

I was on the [REDACTED] and didn't get the view they did [REDACTED]. The gentleman (Hober) was out front. I have seen him before. [REDACTED] was going to go tell him he couldn't sit there because he was screaming at someone. [REDACTED] went outside to tell Hober to leave the premises. Hober started screaming at [REDACTED] and supposedly had a weapon. [REDACTED] ran back in and said Hober had a weapon. He (Hober) never came in the store after [REDACTED]. I never saw a weapon. [REDACTED] made the call. I heard two shots and then saw him laid out.

The [REDACTED] before us told us he bought alcohol. I started my [REDACTED] at 2230 hours. He (Hober) is frequently outside the store. I was sorting "go-backs", more to the right of [REDACTED] to the right of the front doors (on the east side of the store). I heard Hober yelling, "F you," at [REDACTED] but I couldn't make out what he was saying.

[REDACTED] served the last [REDACTED] who bought alcohol. After the last [REDACTED] left, it was minutes before I heard the shots.

Investigator's Report

Witness: [REDACTED]

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Detective Maggi: Did you hear any of the officer's commands before the shots?

No, I heard commands after he had been hit. He heard him say, "Yeah get down. Get on the floor. Something like that."

Detective Maggi: If the officer gave commands before the shots, would you have heard them?

No, I wasn't paying attention. My attention was caught once I heard the shots.

The interview concluded at about 0252 hours. I provided [REDACTED] my business card and asked him to call me if he recalled any additional details.

Reporting Detective Tammy Clendenen I.D. 6236 Homicide Team: III
Approved by: Sgt M. Dobbs #5228 Date of this report: August 28, 2015 Time: 1015



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**



FIREARMS UNIT LABORATORY REPORT

VICTIM:	SDPD Officer E. OBERNDORFER, ID #5672
SUSPECT:	HOBER, Robert
CHARGE:	OIS/Special Investigation
CASE #:	15-037226
INCIDENT #:	15080049480
HOMICIDE TEAM 3:	Detective B. Kellner / Sergeant M. Dobbs
DATE OF INCIDENT:	August 28, 2015 (Friday)
SCENE LOCATION:	5644 Mission Center Road (CVS)
CRIME SCENE SPECIALIST:	Jennifer Sanders
CRIMINALIST:	Lisa K. Wilson

EVIDENCE EXAMINED

SDPD Officer Eric OBERNDORFER, ID #5672:

One Glock semiautomatic pistol, Model 21, serial number [REDACTED] chambered in 45
Auto caliber with [REDACTED]
[REDACTED]

RESULTS AND CONCLUSIONS



FIREARMS UNIT LABORATORY REPORT

Case# 15-037226

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DISPOSITION OF EVIDENCE

The Glock pistol [REDACTED] returned to the Crime Scene Unit's gun locker on August 31, 2015. The Firearms Processing Packets for [REDACTED] firearms were entered into the electronic evidence system (Barcodes 10526845,47) and released to the Property Room on September 1, 2015.



Lisa K. Wilson, ID# 8512
Criminalist / Firearms Unit
September 1, 2015

Technical Review: [REDACTED] 8757 Date: 9-2-15

Administrative Review: [REDACTED] Date: 9-2-15



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**

CRIME SCENE UNIT LABORATORY REPORT



VICTIM:	OBERNDORFER, SDPD Officer Eric
SUSPECT:	HOBER, Robert
CHARGE:	OIS/Special Investigation / 245(a)(1) PC
INCIDENT #:	15080049480
CASE #:	15-037226 / 15-037227
HOMICIDE TEAM 3:	Detective B. Kellner/Sergeant M. Dobbs
DATE OF INCIDENT:	August 28, 2015 (Friday)
SCENE LOCATION:	5644 Mission Center Road (CVS)
CRIME SCENE SPECIALIST:	Jennifer Sanders
CRIMINALIST:	Tess Hemmerling

CRIME SCENE UNIT REPORT 1

Scene

I arrived at 5644 Mission Center Road (CVS) on August 28, 2015, at approximately 0116 hours. I met Detective Bill Kellner, ID #5776, Detective Ron Newquist, ID #4999, members of Homicide Team 3, Criminalist Tess Hemmerling, ID #8765, and Criminalist Lisa Wilson, ID #8512, at this location. I took digital photographs #1 through #153, starting at approximately 0222 hours. I collected items of evidence starting at approximately 0418 hours.

Photography

- | | |
|------------|--|
| #1 - #36: | Views of the exterior of the CVS building and the parking lot in front (south) of the building. |
| #37 - #44: | Views of San Diego Police patrol vehicle #7213 ³ (CA EXEMPT 1413721) in relation to the CVS building and parking lot. |
| #45 - #47: | Views of the front entrance walkway from the parking lot. |
| #48 - #51: | Views of the parking lot from the front entrance walkway. |
| #52 - #56: | Views of the table and chairs on the west side of the front entrance walkway. |
| #57 - #60: | Views of the suspect (covered with a yellow sheet) on the east side of the front entrance walkway. |

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- #61 - #74: Views of San Diego Police patrol vehicle #7213³ (CA EXEMPT 1413721).
- #75: View of the blue cones designating the approximate locations of Officer Oberndorfer (pink flag) and the suspect (orange flag), placed at the direction of Officer Oberndorfer.
- #76 - #77: Views of Officer Oberndorfer's approximate location (represented with a pink flag), and his perspective view.
- #78 - #79: Views of the suspect's approximate location (represented with an orange flag), and his perspective view.
- #80 - #88: Views of the blue cones in relation to the patrol vehicle, CVS building, suspect, and parking lot.
- #89 - #99: Location views of the evidence items identified with placards 1 through 15.
- #100 - #101: Views of the bullet (placard 1).
- #102: View of the box cutter (placard 2).
- #103: View of the broken wine bottle (placard 3).
- #104: View of the cartridge case (placard 4).
- #105: View of the cartridge case (placard 5).
- #106 - #107: Views of the broken wine bottle (placard 6).
- #108: View of the hot beverage lid (placard 7).
- #109 - #110: Views of the Starbucks cup, wine bottle, lighters and papers (placard 8).
- #111 - #112: Views of the Starbucks cup and contents (part of placard 8).
- #113 - #114: Views of the wine bottle and contents (part of placard 8).
- #115 - #118: Views of the sweatshirt, backpack and CVS bags (placard 9).
- #119: View of the plastic wine topper (placard 10).
- #120: View of the corkscrew (placard 11).

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- #121: View of the flip flops (placard 12).
- #122: View of the papers (placard 13).
- #123 - #124: Views of the cork (placard 14).
- #125: View of the pen (placard 15).
- #126 - #143: Views of the suspect during the Medical Examiner's preliminary examination at the scene.
- #144: View of the Starbucks cup (part of placard 8) with the liquid level marked prior to discarding.
- #145 - #146: Views of the wine bottle (part of placard 8) with the liquid level marked prior to discarding.
- #147: View of the red lock and name tag on the body bag.
- #148 - #151: Views of the wallet (placard 16), on the hood of San Diego Police patrol vehicle #7213³ (CA EXEMPT 1413721).
- #152 - #153: Views of the walkway after the suspect was removed.

Evidence

Evidence items identified with placards 1 through 16 were collected in front (south) of the CVS building.

Evidence items identified with placards 1 and 2 were collected from the parking lot, southwest of San Diego Police patrol vehicle #7213³ (CA EXEMPT 1413721).

- 10526654:** One bullet (placard 1).
- 10526656:** One green box cutter (placard 2).

Evidence items identified with placards 3 through 5 were collected from the parking lot, south of San Diego Police patrol vehicle #7213³ (CA EXEMPT 1413721).

- 10526658:** One piece (back label portion) of a broken "yellow tail merlot" wine bottle (placard 3).

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- 10526660:** One cartridge case with head stamp "FEDERAL 45 AUTO" (placard 4).
- 10526661:** One cartridge case with head stamp "FEDERAL 45 AUTO" (placard 5).
- 10526662:** One piece (front label portion) of a broken "yellow tail merlot" wine bottle (placard 6). This item was collected from the parking lot, underneath San Diego Police patrol vehicle #7213³ (CA EXEMPT 1413721), adjacent to the rear passenger-side tire.

Evidence items identified with placards 7 through 13 were collected from the west side of the front entrance walkway.

- 10526663:** One white plastic lid to a hot beverage cup with apparent wine stains (placard 7).
- 10526665:** One "Starbucks" hot beverage cup, approximately half full of apparent wine (part of placard 8). This item was collected from on top of the table. The contents of the cup were discarded at the scene.
- 10526666:** One "yellow tail merlot" wine bottle, approximately one-quarter full of apparent wine (part of placard 8). This item was collected from on top of the table. The contents of the bottle were discarded at the scene.
- 10526667:** This item (part of placard 8) consists of the following:
- One blue "American Match" lighter
 - One clear "MK" lighter
 - One "CVS/pharmacy" receipt dated "AUGUST 27, 2015 10:31 PM"
 - One "Mission Valley Shell" receipt dated "08/27/15 06:15:05"
 - One "Citibank" receipt dated "08/27/2015 17:12"
 - One "CVS/pharmacy" receipt for "Ibuprofen 600mg"
- This item was collected from on top of the table.
- 10526671:** One size "XL" faded black "GILDAN" torn, hooded, dirty sweatshirt with "RCS TANK CLEANING SOLUTIONS" screened on the front (part of placard 9). The sleeves were inside-out when collected. This item was collected from the top of the shopping cart.

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10526672: One blue and gray "OZARK TRAILS" backpack (part of placard 9), containing the following:

- The small outer front zippered pocket contains one "Eagle 20's" empty cigarette box and one "Natural American Spirit" empty cigarette box
- The medium outer front zippered pocket contains seventy-one cents (\$0.71) in loose change (United States currency)
- The top mini zippered pocket contains one bottle of "CVS IBUPROFEN" tablets
- The main compartment contains three "San Diego City Beat" magazines, one "GEIGERRIG HYDRAPAK" bladder (full of clear liquid) and miscellaneous items

This item was collected from inside the shopping cart.

10526673: This item (part of placard 9) consists of the following:

- Two "CVS" plastic bags (tied at the handle) containing:
 - One "CVS IBUPROFEN" empty box
 - One "SALUTE! WAITERS CORKSCREW" empty packaging
- One black and orange piece of plastic wrapper for a "yellow tail" wine bottle
- One hand drawn sign on the back of a "Chobani" paper

This item was collected from inside the shopping cart, underneath the backpack.

10526674: One black and orange piece of plastic wrapper for a "yellow tail" wine bottle (placard 10).

10526675: One black "SALUTE!" corkscrew (placard 11).

10526676: One pair of black, dirty flip flops (placard 12).

10526677: One yellow and blue partial store/sale sign, torn into three pieces with miscellaneous handwriting (placard 13).

Evidence items identified with placards 14 and 15 were collected from the east side of the front entrance walkway.

10526678: One tan cork with a picture of a kangaroo on the side (placard 14).

10526679: One green ball point pen with "SAN DIEGO PUBLIC LIBRARY" printed on the side (placard 15).

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10526680:

One black wallet (placard 16) containing the following:

- One [REDACTED] card in the name of "ROBERT A HOBER"
- One [REDACTED] card in the name of [REDACTED]
- One "ALBERTSON'S COMPASS TAP & RIDE" card
- One "SOCIAL SECURITY" card in the name of "ROBERT ARTHUR HOBER"
- Six "WORK CREDIT" papers
- Miscellaneous receipts and papers
- One five-dollar bill (\$5.00) in United States currency
- One penny (\$0.01) in United States currency

This item was collected from the hood of San Diego Police patrol vehicle #7213³ (CA EXEMPT 1413721).

Autopsy

I arrived at the San Diego County Medical Examiner's Office on August 28, 2015, at approximately 1050 hours to attend the autopsy of suspect Robert Hober [REDACTED]. I met Detective Bill Kellner, ID #5776, and Detective Ron Newquist, ID #4999, at this location. I took digital photographs #154 through #271, starting at approximately 1106 hours. I collected and/or received items of evidence starting at approximately 1133 hours.

Photography

- #154 - #155: Views of the body bag.
- #156: View of the red lock and name tag on the body bag.
- #157 - #158: Views of the suspect before the head, hand and foot bags were removed.
- #159 - #170: Views of the back, left, right and front sides of the suspect, before the clothing was removed.

Photographs #171 through #215 were taken of the suspect in an unclothed and unwashed condition.

- #171 - #172: Views of the left and right sides of the suspect before the medical paraphernalia was removed.

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#173 - #178: Views of the suspect's hands.

#179 - #193: Views of the right, left and front sides of the suspect.

#194 - #204: Views of the wounds on the suspect's legs.

#205 - #206: Views of the wound on the suspect's chest.

#207 - #210: Views of the wounds on the suspect's arms.

#211 - #215: Views of the back side of the suspect.

Photographs #216 through #271 were taken of the suspect in an unclothed and washed condition.

#216 - #230: Views of the left, right and front sides of the suspect.

#231 - #240: Views of the wounds on the suspect's legs.

#241 - #242: Views of the wound on the suspect's chest.

#243 - #246: Views of the wounds on the suspect's arms.

#247 - #248: Views of the wounds on the suspect's forehead.

#249 - #253: Views of the suspect's hands.

#254 - #258: Views of the back side of the suspect.

#259 - #260: Views of the chest and abdomen after the skin was reflected.

#261 - #263: Views of the bullet from the abdomen.

#264 - #266: Views of the suspect with trajectory rods in place.

#267: View of the suspect's x-ray.

#268 - #271: Views of the wound on the back of the suspect's head.

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Evidence

- 10526682:** One paper bag from the suspect's head.
- 10526683:** One paper bag from the suspect's right hand.
- 10526684:** One paper bag from the suspect's left hand.
- 10526685:** One paper bag from the suspect's right foot.
- 10526686:** One paper bag from the suspect's left foot.
- 10526687:** One pair of size "L" blue and green plaid "Fruit of the Loom" under-shorts.
- 10526688:** One size "XL" black "Calvin Klein Jeans" short-sleeved tee-shirt with apparent bloodstains and holes.
- 10526689:** One pair of blue "Levi's" jeans with apparent bloodstains, medical intervention cuts and holes. A blue cord is threaded through the belt loops.
- The right rear pocket contains one gray strap
 - The left rear pocket contains tissue and dried flowers
 - The coin pocket contains one paper clip attached to a clothing sticker
- 10526690:** Two reference mouth swabs (collected simultaneously).
- 10526692:** Fingernail scrapings from the right hand.
- 10526693:** Fingernail scrapings from the left hand.
- 10526694:** Plucked head hair.

I received the following four evidence items from Forensic Autopsy Specialist Mike Andrade.

- 10526695:** One bullet from the suspect's abdomen.
- 10526696:** One rib bone sample.
- 10526697:** One vial of blood.
- 10526698:** One set of inked finger and palm prints.

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Crime Scene Unit Report 1
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10526699: One Reference Bloodstain Card. This item was prepared from the vial of blood (10526697) in the San Diego Police Department Crime Scene Unit on August 28, 2015, at approximately 1425 hours.


Discs

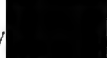

10526700: One Master DVD containing digital images #1 through #271.

10526701: One Working Copy DVD containing digital images #1 through #271.

DISPOSITION OF EVIDENCE

Each item of evidence was assigned a unique barcode under **Incident #15080049480** and will be impounded in the **Headquarters Property Room**.


Jennifer C. Sanders, ID# 8393
Crime Scene Specialist
September 2, 2015

Technical Review  **8702** Date: 9-2-15
Administrative Review  **8791** Date: 9-2-2015



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**

CRIME SCENE UNIT LABORATORY REPORT



VICTIM: SDPD Officer E. OBERNDORFER, ID #5672
SUSPECT: HOBER, Robert
CHARGE: OIS/Special Investigation / 245(a)(1) PC
INCIDENT #: 15080049480
CASE #: 15-037226 / 15-037227
HOMICIDE TEAM III: Detective B. Kellner / Sergeant M. Dobbs
DATE OF INCIDENT: August 28, 2015 (Friday)
SCENE LOCATION: 5644 Mission Center Road (CVS)
CRIME SCENE SPECIALIST: Heather Morreira

CRIME SCENE UNIT REPORT 2

Officer Processing

I arrived at the San Diego Police Department Crime Scene Unit Studio on August 28, 2015, at approximately 0421 hours, to process San Diego Police Department Officer E. Oberndorfer, ID #5672. I took digital images #1 through #20, starting at approximately 0422 hours. I received the officer's firearms, at approximately 0426 hours.

Photography

- #1 - #12: Views of the front, left, back and right sides of the officer.
#13 - #16: Views of the badge and name plate on the front of the officer's uniform shirt.
#17 - #20: Views of the officer's gun belt.

Officer's Firearm

I received the following two items from Sergeant M. Dobbs, ID #5228.

- One unsealed box with the following handwritten on it:
"1 UNSEALED BOX"

SGT. M. DOBBS #5228



- One unsealed box with the following handwritten on it:

"1 UNSEALED BOX

GLOCK .21 (.45 ACP)

SER #

(LOADED W/

SGT. M. DOBBS #5228

OFF. OBERNDORFER'S GUN"

This box contained the following:

- One black Glock .45 cal. firearm with serial number

-

The firearm and firearm magazines were unloaded by Criminalist L. Wilson, ID #8512.
Please see Criminalist L. Wilson's report for further information.

Discs

10527279: One "MASTER" DVD containing digital images #1 through #20 of the officer processing.

10527280: One "WORKING COPY" DVD containing digital images #1 through #20 of the officer processing.

DISPOSITION OF EVIDENCE

The discs were each assigned a unique barcode and will be impounded in the *Headquarters Property Room* under *incident #15080049480*.

An additional copy of the "WORKING COPY" DVD was released to Detective B. Kellner, ID #5776, Homicide Unit.

CRIME SCENE UNIT
Crime Scene Unit Report 2
Incident # 15080049480
Case # 15-037226
September 4, 2015
Page 3 of 3

Officer E. Oberndorfer's ID #5672 [REDACTED] firearm (with serial number [REDACTED] and [REDACTED] empty firearm magazines were released to Sergeant M. Dobbs, ID #5228, in the Crime Scene Unit on September 1, 2015, at approximately 1040 hours.

[REDACTED]

Heather Morreira, ID #8702
Crime Scene Specialist
September 4, 2015

Technical Review [REDACTED] *End* Date: 9/9/15

Administrative Review: [REDACTED] 8791 Date: 9.9.2015



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**



CRIME SCENE RECONSTRUCTION REPORT

VICTIM: SDPD Officer OBERNDORFER, Eric, ID #5672
SUSPECT: HOBER, Robert
CHARGE: O.I.S. / Special Investigation
CASE #: 15-037226
INCIDENT #: 15080049480
DATE OF INCIDENT: August 28, 2015
HOMICIDE TEAM III: Detective B. Kellner, ID #5776
Sergeant M. Dobbs, ID #5228
CRIME SCENE SPECIALIST: Jennifer Sanders, ID# 8393
CRIMINALIST: Tess Hemmerling, ID #8765

DATE OF REPORT: September 14, 2015

BACKGROUND

On August 28, 2015, at approximately 0035 hours, I was notified by Crime Scene Specialist Jennifer Sanders of an officer-involved shooting at 5644 Mission Center Road. I arrived at the scene at approximately 0132 hours where I met Detective Bill Kellner, Detective Ron Newquist, and Crime Scene Specialist Jennifer Sanders. Members of Homicide Team III and various SDPD police personnel were at the scene when I arrived. Criminalist Lisa Wilson was at the scene as the Crime Scene Reconstruction Trainee. I left the scene at approximately 0537 hours.

BRIEFING

The briefing was conducted by SDPD Sergeant Art Swadener, ID #5753. The following is a synopsis of the information gathered from the briefing and subsequent information provided by Detectives Ron Newquist and Bill Kellner:

- Communications received a call at approximately 0011 hours from an [REDACTED] about an individual brandishing a weapon in the store. Robert Hober, the suspect, allegedly chased a [REDACTED] with a box cutter. The suspect had purchased two bottles of wine from the pharmacy, and sat outside at a table near the west side of the front entrance to the store. Witnesses stated that the suspect was behaving erratically.
- Officer Eric Oberndorfer responded to the call and arrived at the scene at approximately 0016 hours. He entered the parking lot of the shopping center from the west, and drove east towards the front of CVS Pharmacy. He had no visual of the suspect who was sitting behind the west pillar near the front entrance of the store. As Officer Oberndorfer exited his vehicle, the suspect was approaching and yelling at him. The suspect was brandishing a box cutter and was advancing towards the officer. The officer gave the suspect verbal commands to drop the box cutter, but the suspect ignored his commands and continued to advance towards the officer. Officer Oberndorfer fired his gun two times, shooting the suspect once near the lower left rib cage and once on the left upper thigh.

CRIME SCENE REPORT

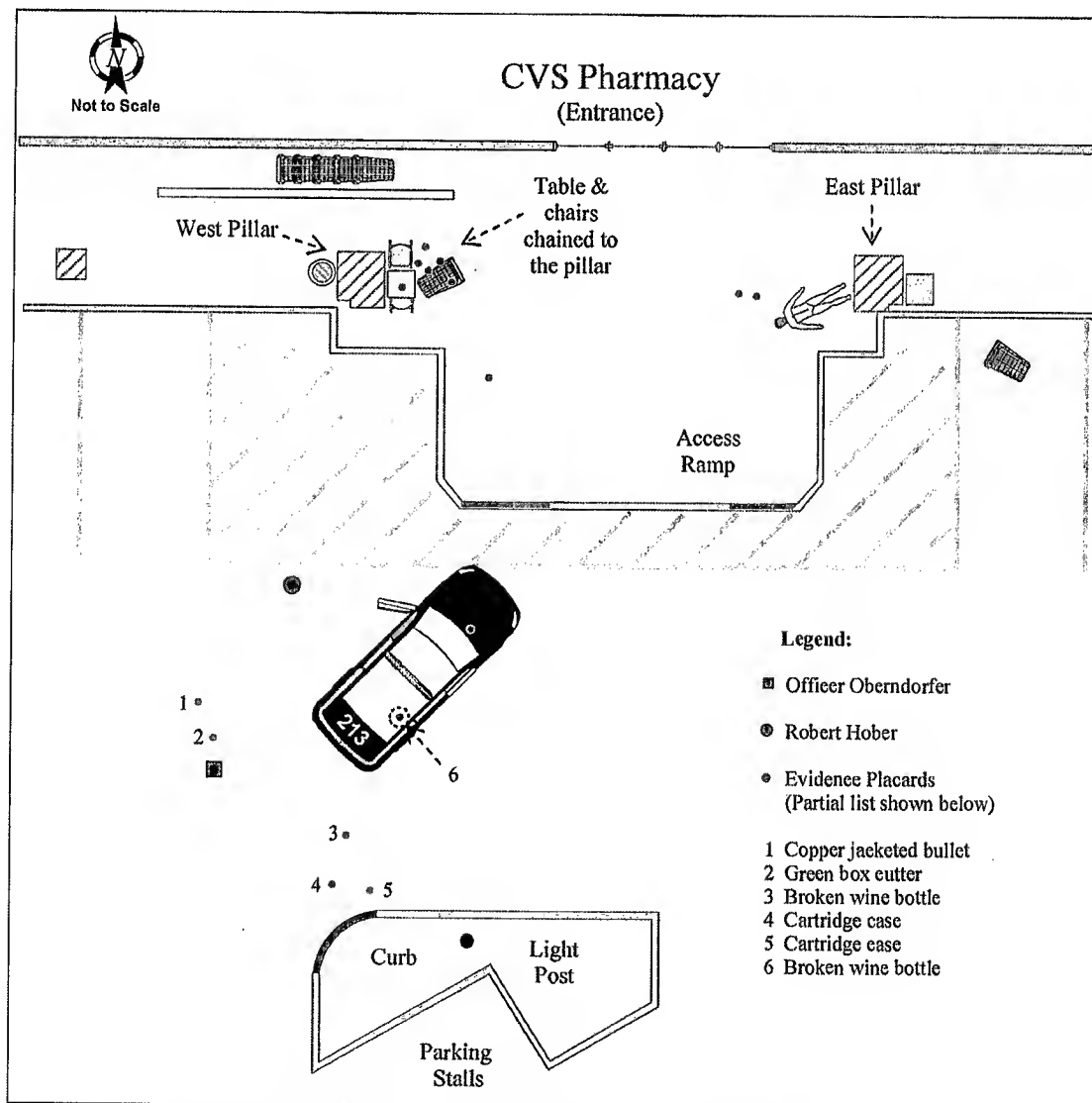
Case #15-037226

September 14, 2015

Page 2 of 4

SCENE DESCRIPTION

The CVS Pharmacy at 5644 Mission Center Road is located within the Friars Mission Center shopping center. The shopping center is accessed from Frazee Road on the west and Mission Center Road from the east. The entrance to CVS Pharmacy faces south. A table with two chairs was chained around a cement pillar on the west side of the front entrance to the store. The table and chairs are partially obscured by this pillar when viewed and approached from the west end of the shopping center. A parking lot surrounds the front of the business. See Diagram 1 below for description and observations.



CRIME SCENE REPORT

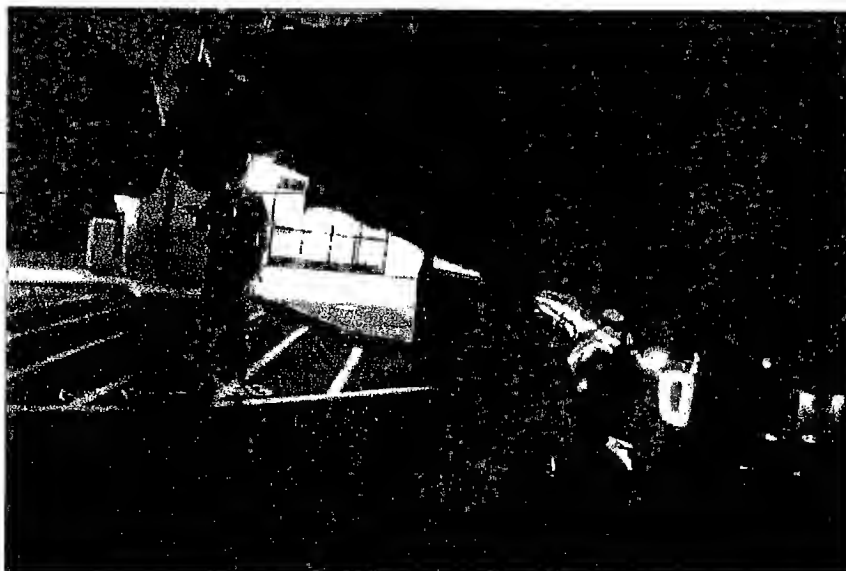
Case #15-037226

September 14, 2015

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OBSERVATIONS

- Officer Oberndorfer's patrol vehicle (#7213) faced northeast and came to a stop less than 10 feet away from the pillar on the west side of the front entrance to CVS Pharmacy.
- One copper jacketed bullet fragment was found west of the rear of the vehicle (placard 1) next to a green box cutter (placard 2).
- A glass fragment with a "Yellowtail Merlot" wine label (placard 3), and two nickel plated cartridge cases head stamped with "Federal 45 auto" (placards 4 and 5) were found on the ground south of the rear of the vehicle.
- A glass fragment was found under the rear of the police vehicle (placard 6).
- Based on the stated position of Officer Oberndorfer at the time of shooting, he was less than 7 feet west of the rear of his patrol vehicle, while the suspect, Robert Hober, was standing about 7 feet from the driver side of the vehicle. The approximated distance between the officer and the suspect was 13 feet.
- Officer Oberndorfer stated during his walk-through that he was standing near the rear of his patrol vehicle. He fired his gun twice at the suspect in a northeast direction.
- A review of the video taken from Officer Oberndorfer's body-worn camera shows the suspect approaching him as he was exiting his patrol vehicle. The suspect continued to advance towards the officer while the officer walked backwards towards the rear of the patrol car with his gun aimed at the suspect.



Video Screen Shot from Officer Oberndorfer's Body-Worn Camera

CRIME SCENE REPORT

Case #15-037226

September 14, 2015

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SUSPECT INJURIES

Robert Hober's body was covered by a yellow tarp. He was supine with his feet toward the east pillar near the entrance to the pharmacy. He was clad in jeans and a black T-shirt. An airway tube was inserted in his mouth, and EKG pads were attached on his left torso. Dr. Wagner, the San Diego County Medical Examiner, examined the suspect's body at the scene. He indicated that the suspect's injuries consisted of two gunshot wounds: one perforating wound to his front left upper thigh that exited near the lateral side of the right knee; and one penetrating wound to the lower left torso. One copper jacketed bullet fragment was recovered from the suspect's abdomen during the autopsy. Detective Kellner indicated that the cause of death was a penetrating gunshot wound to the abdomen.

OFFICER'S FIREARM

Examination of Officer Oberndorfer's Glock semiautomatic pistol indicated that he fired a maximum of two shots if his pistol was "hot loaded." Refer to Firearms Unit Criminalist Lisa Wilson's report, dated September 1, 2015.

CONCLUSIONS

The following conclusions are based upon the initial briefing conducted at the scene, observations made at the crime scene, examination of the scene photographs, review of the video captured by Officer Oberndorfer's body worn camera during the incident, and the firearms report.

- Officer Oberndorfer fired his pistol two times striking Robert Hober once in the lower left torso and once in the upper left thigh.
- The location of the cartridge cases was consistent with Officer Oberndorfer's stated position when he fired.

This report contains the conclusions, opinions, and interpretations of the analyst whose signature appears below. Please feel free to contact me with any questions regarding this report.



Tess Hemmerling, ID #8765

Criminalist II

September 14, 2015

Technical Review:  Date: 9/25/15

Administrative Review:  Date: 9/30/15



Page _____

San Diego Police Department

**INTERNAL CHAIN
OF CUSTODY**

Forensic Science Section

Victim(s) SDPD Officer Eric Oberndorfer # 5672


Suspect(s) Robert Hober


Incident # <u>15080049480</u> Case # <u>15-037226</u>	
Released By: Name/ID <u>Sgt. M. Dobbs</u> <u>#5228</u>	Received By: <u>Heather Morreira</u> ID# <u>8702</u> Items Received <u>one unsealed box containing:</u> <u>and glock (S/N# [redacted]) w/ [redacted] magazines total</u> Purpose <u>transfer chain of custody</u> Date <u>8/28/15 @ 10421</u>
(In CSU Studio)	
Released By: Name/ID <u>H. Morreira</u> <u>#8702</u>	Received By: <u>[redacted]</u> ID# <u>8512</u> Items Received <u>unsealed boxes - One box contains [redacted]</u> <u>and one box contains a Glock handgun (S/N# [redacted])</u> Purpose <u>unload</u> Date <u>28 Aug 15 0652</u>
(Gun Locker)	
Released By: Name/ID <u>Wilson</u> <u>3512</u>	Received By: <u>Heather Morreira</u> ID# <u>8702</u> Items Received <u>unsealed boxes: one [redacted] One of a Glock handgun</u> Purpose <u>transfer chain of custody</u> Date <u>9/31/15 @ 1342</u>
gunlocker	
Released By: Name/ID <u>H. Morreira</u> <u>8702</u>	Received By: <u>Sgt M. Dobbs #5228</u> ID# <u>5228</u> Items Received <u>Two unsealed boxes - One box contains [redacted]</u> <u>One box contains handgun [redacted] with [redacted]</u> Purpose <u>transfer chain of custody</u> Date <u>9/1/15 @ 1040</u>
(CSU)	
Released By: Name/ID	Received By _____ ID# _____ Items Received _____ Purpose _____ Date _____





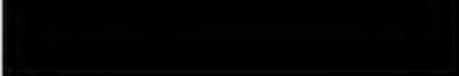
NE


**MEDICAL/BIOHAZARDOUS WASTE TRACKING DOCUMENT**Date: 8/28/15**GENERATOR**

Name: City of San Diego
Address: 1200 3rd Ave Ste 200 San Diego, CA 92101
Telephone: 
Waste Type: Bo. waste
Quantity: 20 lbs
Other Info: UN2921 Regulated Medical Waste, N.O.S., 6.2, PGII

Site Address: ☐ Same/ 5644 Mission Center Rd. San Diego, CA 92108
Signature:  Printed A. Florillo • 7205

TRANSPORTER

Name: Patriot Environmental Services
Address:  
Telephone: 
Other Info: _____

Signature:  Printed Jeff Merrill

RECEIVING FACILITY

Name: 
Address: 
Telephone: 
Other Info: 
Signature: _____ Printed _____

A copy of this form must be kept by large quantity generators, small quantity generators with on-site treatment, haulers and receiving facilities for three years. Small quantity generators must keep a copy for two years.